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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

**MDL No. 2804**

**Case No. 17-md-2804**

This document relates to:

Case No. 17-OP-45004

THE COUNTY OF CUYAHOGA, OHIO et  
al.

vs.

PURDUE PHARMA L.P. et al.

and

Case No. 18-OP-45090

THE COUNTY OF SUMMIT, OHIO et al.

vs.

PURDUE PHARMA L.P. et al.

**EXPERT REPORT OF  
MATTHEW G. BIALECKI, CPA, CFF, CGMA**

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## **I. INTRODUCTION**

### **A. Qualifications**

I, Matthew G. Bialecki, am a Managing Director of Alvarez & Marsal Disputes and Investigations, LLC (“A&M DI”) in Chicago, Illinois and the Eastern U.S. Region Practice Leader of A&M DI. My business address is 540 West Madison Street, Suite 1800, Chicago, IL 60661. As part of my over 25 years of professional practice, I have provided expert testimony and advisory services in dispute matters pertaining to financial damages and other complex financial and accounting issues.

I am a former Partner with Deloitte Financial Advisory Services LLP and was the Professional Practice Director for the Midwest and North Central regions responsible for risk management, conflicts, independence rules, and technical accounting. I am one of the authors of the American Institute of Certified Public Accountants (“AICPA”) Practice Aid on Mergers and Acquisition Disputes.

I am a Certified Public Accountant licensed in the state of Illinois. In addition, I have earned two specialized credentials from the AICPA: I am Certified in Financial Forensics and am a Chartered Global Management Accountant. A complete copy of my resume summarizing my qualifications and professional experience is attached hereto.<sup>1</sup>

### **B. Scope of Engagement**

A&M DI was retained by Covington & Burling LLP on behalf of its client, McKesson Corporation, to serve as expert witness with respect to the National Prescription Opiate Litigation (MDL No. 2804). My report is submitted on behalf of McKesson and certain other defendants (collectively, the “Defendants”).<sup>2</sup> A&M DI performed its engagement pursuant to the AICPA’s Standards on Consulting Services.

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<sup>1</sup> See Appendix 1 – Resume of Matthew G. Bialecki.

<sup>2</sup> These defendants may change but currently include AmerisourceBergen Drug Corporation, Cardinal Health, Inc., CVS Indiana, LLC, CVS Rx Services, Inc., Walgreen Co., Walgreen Eastern Co., Inc., HBC Service Company, and H. D. Smith, LLC f/k/a H. D. Smith Wholesale Drug Company.

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I have been asked to quantify past costs paid for by the counties relating to prescription opioid abuse beginning in 2006 (referred to as “prescription opioid costs”) with respect to the matters *The County of Cuyahoga, Ohio et al. vs. Purdue Pharma L.P. et al.* and *The County of Summit, Ohio et al. vs. Purdue Pharma L.P. et al.* (collectively, the “Complaints”) (The County of Cuyahoga, Ohio et al. and The County of Summit, Ohio et al. collectively, the “Plaintiffs”).<sup>3</sup> In addition and in the alternative, I quantified past costs that were or could have been paid for by Plaintiffs related to opioid abuse more generally beginning in 2006 (referred to as “general opioid costs”). Although I understand the allegations in this case to concern allegations of improper marketing and distribution of prescription opioids, I have conducted the aforementioned analysis of “general opioid costs” in the event that liability is awarded beyond the costs of damages associated with prescription opioid costs. I was not engaged to determine the extent to which any identified opioid-related costs were caused by any party or non-party in this action, nor do I have an opinion on such. I also express no opinion on whether any of the costs I identify, including compensation and other internal costs, are legally recoverable as damages, particularly when sought by a governmental entity.

I have also been asked to respond to certain opinions and assertions in the March 25, 2019 report of Thomas McGuire regarding the “Damages to Bellwethers” (the “McGuire Report”), certain assertions of the March 25, 2019 report of David Cutler (the “Cutler Report”), and certain assertions related to abatement presented in various other Plaintiffs’ expert reports.

### **C. Compensation**

A&M DI is compensated for its services on an hourly basis and is being reimbursed for direct expenses. My hourly rate for this matter is \$700. The payment of fees is not contingent on any particular outcome or testimony.

### **D. Documents and Information Considered**

In the formation of my opinions, I have relied upon certain documents and information including relevant case pleadings, production documents, deposition testimony, publicly

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<sup>3</sup> I use the term opioid and opiate interchangeably throughout my report. Additionally, “opioid abuse” as referenced in my report is inclusive of opioid dependency.

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available information, and the Plaintiffs' Reports. A listing of documents and information considered in forming the opinions in my report is attached as an appendix to this report.<sup>4</sup>

## II. SUMMARY OF OPINIONS

My opinions are reflected throughout this report. However, for the benefit of the readers of the report, I summarize certain key opinions here. All of the opinions in this report are based on the analyses that I performed (with the assistance of others at A&M DI working under my direction), as well as my skills, knowledge, experience, education, and training. Certain key opinions include:

- Total maximum past costs that were or could have been paid for by Cuyahoga County related to prescription opioid abuse and, more generally, opioid abuse are as follows:

Division	Maximum Direct Costs		Maximum Incremental Costs		Maximum Total Costs that Could be Related to Prescription and General Opioid Abuse
	Prescription	General	Prescription	General	
ADAMHS Board	\$ -	\$ 2,235,174	\$ -	\$ 1,080,231	\$ 3,315,405
Children and Family Services					
Office of the Prosecutor	-	100,000	-	-	100,000
Office of the Public Defender	-	-	-	-	-
Court of Common Pleas	-	3,027,542	-	-	3,027,542
Juvenile Court	-	317,793	-	122,760	440,553
Sheriff's Department	35,191	-	-	-	35,191
County Jail	-	-	-	-	-
Medical Examiner	-	2,636,996	-	-	2,636,996
Division Unknown	5,485	14,047	-	N/A	19,533
	<b>\$ 40,676</b>	<b>\$ 8,331,553</b>	<b>\$ -</b>	<b>\$ 1,202,991</b>	<b>\$ 9,575,220</b>

*Note 1:* Due to the unavailability of certain Cuyahoga County financial records for 2018, my calculation of maximum past costs for Cuyahoga County is limited, in part, to the period 2006 to 2017.

*Note 2:* At this time I have not analyzed Children and Family Services. Pursuant to the Court's recent rulings, I will supplement my report to include an analysis of Children and Family Services upon receipt of the underlying case files from Plaintiffs.

- Total maximum past costs that were or could have been paid for by Summit County related to prescription opioid abuse and, more generally, opioid abuse are as follows:

<sup>4</sup> See Appendix 2 – Documents and Information Considered.

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Division	Maximum Direct Costs		Maximum Incremental Costs		Maximum Total Costs that Could be Related to Prescription and General Opioid Abuse
	Prescription	General	Prescription	General	
ADM Board	\$ -	\$ 7,078,148	\$ -	\$ -	\$ 7,078,148
Children Services					
Prosecutor's Office	-	-	-	-	-
Court of Common Pleas	-	-	-	467,259	467,259
Juvenile Court	-	-	-	1,388,319	1,388,319
Sheriff's Office	166,667	281,034	-	-	447,701
County Jail	-	237,990	-	-	237,990
Alternative Corrections	-	-	-	-	-
Adult Probation Department	-	-	-	-	-
Medical Examiner	-	479,016	-	-	479,016
	<b>\$ 166,667</b>	<b>\$ 8,076,188</b>	<b>\$ -</b>	<b>\$ 1,855,578</b>	<b>\$ 10,098,433</b>

*Note 1:* My calculation of maximum past costs for Summit County are for the period 2006 to 2018.

*Note 2:* At this time I have not analyzed Children Services. Pursuant to the Court's recent rulings, I will supplement my report to include an analysis of Children Services upon receipt of the underlying case files from Plaintiffs.

- The McGuire Report is flawed and should be rejected for reasons including, but not limited to, his reliance on the Cutler Report.
- Many of the Plaintiffs' proposed abatement programs are already in existence or have been proposed for adoption and any lack of adoption does not appear to be tied to financial constraints.

### III. BACKGROUND

Opium has been around thousands of years and the opium poppy has been reported as one of the oldest medicinal plants in recorded history.<sup>5</sup> By 1900, an estimated 300,000 people were addicted to opioids in the United States and many doctors prescribed opioids solely to prevent their patients from suffering withdrawal.<sup>6</sup> Due to concerns about their addictive properties, prescription opioids have usually been regulated at the federal level as Schedule II controlled substances by the United States Drug Enforcement Administration since 1970.<sup>7</sup> Since mid-2013, synthetic opioids such as fentanyl and carfentanil have been increasingly involved in

<sup>5</sup> See <https://www.ncbi.nlm.nih.gov/pubmed/17152761>.

<sup>6</sup> See Cuyahoga County Second Amended Corrected Complaint, para. 100.

<sup>7</sup> See Cuyahoga County Second Amended Corrected Complaint, para. 103.

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drug overdose deaths as a result of their higher potency and cheaper cost to manufacture than both prescription opioids and heroin.<sup>8,9</sup>

In May 2018, Cuyahoga and Summit Counties both filed a corrected Second Amended Complaint seeking the recovery of damages and the means for abatement as a result of Defendants' alleged misconduct. Specifically, the Plaintiffs' allege that "opioid use, addiction, abuse, overdose and death has had severe and far-reaching public health, social services, and criminal justice consequences, including the fueling of addiction and overdose from illicit drugs such as heroin."<sup>10</sup>

#### IV. COMPARISON OF REPORTS

On March 25, 2019, the Plaintiffs' expert, Thomas McGuire, issued a report regarding the "Damages to Bellwethers." McGuire did not believe it was necessary to identify specific costs from actual records, but rather, uses what he refers to as "standard methods from microeconomics [to] allow [him] to reliably estimate past costs".<sup>11</sup> In fact, McGuire was asked repeatedly at his deposition to explain whether his approach relied on any accounting records or budget requests. McGuire testified:

**Q:** Are you able to point me to any accounting records or budget requests from either county which documented any reallocation of resources, either of employee time or other recourses, from one area to be redirected to opioid-related activities?

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**A:** And I regard it to be an important question, since it was asked so many times. And the answer is the same: that the purpose of my report was to identify the opioid-related spending of the various divisions in the bellwether governments for various years, and that's what I did. The interpretation of that spending is economic opportunity costs. That tells me what I need to know in order to answer my assignment. It was not necessary for me to know how

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<sup>8</sup> See [https://www.cdc.gov/nchs/data/nvsr/nvsr68/nvsr68\\_03-508.pdf](https://www.cdc.gov/nchs/data/nvsr/nvsr68/nvsr68_03-508.pdf), Figure 1.

<sup>9</sup> Additionally, CNN Health analysts recently labeled fentanyl as "the deadliest drug in America" (see <https://www.cnn.com/2018/12/12/health/drugs-overdose-fentanyl-study/index.html>).

<sup>10</sup> See Cuyahoga County Second Amended Corrected Complaint, para. 19 and Summit County Corrected Second Amended Complaint, para. 20.

<sup>11</sup> See McGuire Report, para. 10.

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else the funds might have been used and what other possible desired targets that the bellwether divisions had to for those funds. So, it was not necessary, and I didn't do it.<sup>12</sup>

In contrast to McGuire's approach, I researched, and wherever it was possible, quantified the actual past costs that were or could have been paid for by the counties related to prescription and general opioid abuse. I quantify actual past costs by performing a detailed review of the budgets and annual financial reports of the counties, the available underlying county and "affected division" accounting and financial records, and by applying specific and general opioid-related search terms across the entire Cuyahoga County and Summit County production of documents made available to me.

Tables IV-1 and IV-2 highlight the differences between my calculations and McGuire's estimates of past opioid costs (not including children services costs)<sup>13</sup> for Cuyahoga and Summit Counties.<sup>14</sup>

**Table IV-1: Comparison of Maximum Prescription Opioid Costs**

Expert	Past Prescription Opioid Costs	
	Cuyahoga	Summit
Bialecki	\$ 40,676	\$ 166,667
McGuire	Not Provided	Not Provided

*Note 1:* The costs presented for Bialecki include both direct costs and incremental costs.

*Note 2:* The cost presented for Bialecki for Cuyahoga County is limited to the period 2006 through 2017 as a result of the county's failure to provide detailed expenditure records for 2018. The cost presented for Bialecki for Summit County is for the period 2006 through 2018.

*Note 3:* This table does not include costs for children services, which will be provided by a later supplement.

<sup>12</sup> See deposition of Thomas McGuire dated April 30, 2019, pp. 835:20-840-22.

<sup>13</sup> We are waiting for case file evidence from the counties in respect of children services costs, and will address those costs by way of a separate supplement to this report.

<sup>14</sup> Due to the unavailability of certain Cuyahoga County financial records for 2018, my calculation of past opioid costs for Cuyahoga County is limited, in part, to the period 2006 to 2017.



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**Table IV-2: Comparison of Maximum Prescription and General Opioid Costs**

Expert	Past Prescription and General Opioid	
	Cuyahoga	Summit
Bialecki	\$ 9,255,583	\$ 10,098,433
McGuire	\$ 174,156,025	\$ 80,519,340

*Note 1:* The costs presented for Bialecki include both direct costs and incremental costs.

*Note 2:* The costs presented for both Bialecki and McGuire for Cuyahoga County are limited to the period 2006 through 2017 as a result of the county's failure to provide detailed expenditure records for 2018. The costs presented for both Bialecki and McGuire for Summit County are for the period 2006 through 2018.

*Note 3:* McGuire's 2018 opioid costs for Summit County were estimated based on his 2017 opioid-related percentages.

*Note 4:* This table does not include costs for children services, which will be provided by a later supplement.

My calculations are more accurate, because, as stated above, I quantify actual past costs by performing a detailed review of the budgets and annual financial reports of the counties, the available underlying county and "affected division" accounting and financial records, and by applying specific and general opioid-related search terms across the entire Cuyahoga County and Summit County production of documents made available to me. Further, despite the large differences between my calculations and McGuire's estimates of past general opioid costs, my calculations (specifically, the calculations presented in Table IV-2) are conservative because they include costs related to heroin, an illicit drug existent long before prescription opioids were introduced. My calculations are also conservative because they include costs related to illicit fentanyl, which is neither manufactured nor distributed by any defendant in this action, but which has plagued both counties in recent years. Additionally, my calculation of general opioid costs likely includes costs related to individuals who abused illegal opioids, but never used or abused prescription opioids. It is also likely my calculation of general opioid costs includes polydrug users, which are users of multiple substances (e.g., cocaine and heroin).

My methodology to calculate past opioid costs is also consistent with the Opinion and Order previously issued by Judge Polster.<sup>15</sup> Specifically, the Opinion and Order stated:

Plaintiffs have been forced to expend vast sums of money far exceeding their budgets to attempt to combat the opioid epidemic.

<sup>15</sup> See Opinion and Order dated December 19, 2018 (pp. 19-20) in the matter The County of Summit, Ohio et al. vs. Purdue Pharma L.P. et al.

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The Court thus concludes that while Cities and Counties cannot recover ordinary costs of services provided in their capacity as a sovereign, Cities and Counties should be able to recover costs greatly in excess of the norm....

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Certainly, some of Plaintiffs' alleged costs are costs associated with the ordinary provision of services to their constituents in their capacity as sovereigns.... These costs cannot be recovered unless Plaintiffs can prove they go beyond the ordinary provision of those services.

It is also of importance to note that my calculation of past opioid costs for the counties does not consider the extent to which any identified opioid costs were caused by any party or non-party in this action. Therefore, any comparison of McGuire's estimated damages for the counties and my past opioid costs is misrepresented. McGuire blindly applies various "estimates of the percent of harms attributable to the defendants' misconduct presented in the Cutler Report."<sup>16</sup> Notably, to this point, McGuire testified:

**Q:** Okay. So do you agree that if the defendant distributors in this case had only and exclusively acted in a way that you would consider to be compliant with the law and had done nothing allegedly improper, that there would still be damages in this case?

**A:** I'm not sure.<sup>17</sup>

If the Court determines that any of the Defendants are liable for past damages of Cuyahoga and Summit Counties, my calculation of past opioid costs would be substantially reduced by any factor of harm caused by non-labile Defendants and harms caused by non-parties or Plaintiffs themselves.

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<sup>16</sup> See McGuire Report, para. 11.

<sup>17</sup> See deposition of Thomas McGuire dated April 30, 2019, pp. 821:21-822:4.

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## **V. OPINIONS AND BASES FOR OPINIONS**

### **A. Methodology to Calculate Past Opioid Costs**

Based on the allegations set forth by the Plaintiffs in the Complaints, I undertook the following analysis to calculate past opioid costs:

- 1) I sought to identify prescription opioid costs to the extent possible given that the Defendants' alleged misconduct was in relation to prescription opioids. However, Plaintiffs in most instances failed to provide documentation of such costs. Therefore, I also sought for the possible benefit of the Court, in the event that it finds damages warranted beyond the harms caused solely by prescription opioid abuse, and for comparison to the estimates by Plaintiffs' experts, to more broadly identify general opioid costs (i.e., opioid costs not specific to illicit or prescription opioids).
- 2) As my starting point, I reviewed the available information to identify specific costs paid for by the counties that could be directly identified as being related to the counties' efforts to prevent, treat, combat or otherwise respond to opioid abuse ("direct costs").
- 3) To identify direct costs, I reviewed the budgets and audited financial reports of the counties, the available underlying county and "affected division" accounting and financial records, and I applied search terms across the entire Cuyahoga County and Summit County production of documents made available to me. I also reviewed deposition testimony of county personnel for context. I viewed costs as reflected in contemporaneous accounting and financial records as the most reliable evidence of actual costs.
- 4) Although less precise than the direct cost analysis, I next analyzed the expenditures of the nineteen "affected divisions" to determine if there were incremental increases in county-funded expenditures that could be related to the counties' efforts to respond to opioid abuse, which such incremental expenditures I did not otherwise identify in my search for direct costs. This incremental expenditure methodology is less precise than the direct cost methodology because the reason or cause of such incremental expenditures can be less clear and subject to judgment.

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- 5) In furtherance of this effort, I quantified incremental increases in county-funded expenditures by identifying when the incremental expenses began and determining what those expenses would have been “but for” the counties’ efforts (“incremental costs”).
- 6) For the possible benefit of the Court, I have summed my calculations for each of the counties in three alternative ways: (1) direct costs for each of the “affected divisions” as related to prescription opioids to provide a total maximum cost calculation of dollars directly spent by the counties related to prescription opioid abuse, (2) direct plus incremental costs for each of the “affected divisions” as related to prescription opioids to provide a total maximum cost calculation of all dollars that the evidence shows were, in the case of direct costs, or could have been, in the case of incremental costs, spent by the county related to prescription opioid abuse, and (3) direct plus incremental costs for each of the “affected divisions” to provide a total maximum cost calculation of all dollars that the evidence shows were, in the case of direct costs, or could have been, in the case of incremental costs spent by the county related to both prescription and general opioid abuse.

My methodology to calculate past opioid costs is further described in the sections below.

### **1. Identification of Prescription Opioid Costs**

The first step in my analysis was to identify prescription opioid costs to the extent possible given that the Defendants’ alleged misconduct was in relation to prescription opioids.<sup>18</sup> However, based on my review of the available information, I found little to no evidence of such costs or any attempt by the counties to separately account or otherwise segregate its cost related to prescription opioid abuse. In fact, many of the counties’ representatives and division personnel testified that the counties did not maintain any records to keep track of their costs related to the opioid crisis, let alone relating to prescription opioids. Additionally, the counties’ representatives and division personnel testified that they could not even suggest a methodology to quantify their costs related to the opioid crisis. Such testimony included:

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<sup>18</sup> See Section V.A.2 (“Identification of Direct Costs”) for further detail of my procedures to identify opioid costs including those specific to prescription opioids.

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- Ralph Piatak (former Director of Finance ADAMHS, Cuyahoga County):

**Q.** Did you maintain records that kept track of the cost incurred by Cuyahoga County to address the opioid epidemic?

**A.** No, I did not.

**Q.** Do you recall if anyone reported to you that maintain such records?

**A.** I would say most likely not.”<sup>19</sup>

- Maggie Keenan (Director of the Office of Budget Management, Cuyahoga County):

**Q.** How would you go about, as a process matter, trying to determine which expenditures in the department of Children and Family Services, are specifically tied to the opiate crisis?

**A.** I would rely on an expert for that.”<sup>20</sup>

- Trevor McAleer (Legislative Budget Advisor, Cuyahoga County):

**Q.** Have you made any efforts to quantify the total financial impact of the opioid crisis on Cuyahoga County?

**A.** I’ve thought about it. I don’t know if that counts as your definition of attempt it. I have not put anything then pen to paper to try to list it out.”<sup>21</sup>

- Cynthia Weiskittel (Director of Children and Family Services, Cuyahoga):

**Q.** And given some of the data limitations that we’ve talked about, it may be impossible for anybody to offer any such damages calculations relating to your division, correct?

**A.** I don’t know that. I mean, they could look at our budget. There are smart people out there that can figure out that kind of thing.”<sup>22</sup>

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<sup>19</sup> See deposition of Ralph Piatak dated January 14, 2019, pp. 29:21-30:4.

<sup>20</sup> See deposition of Maggie Keenan dated December 12, 2018, pp. 290:13-20.

<sup>21</sup> See deposition of Trevor McAleer dated January 10, 2019, p. 306:15-21.

<sup>22</sup> See deposition of Cynthia Weiskittel dated November 13, 2018, pp. 354:22-355:5.

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- Brian Nelsen (Director of Finance and Budget, Summit County):

**Q.** Sir, so you've said that in all the efforts to identify and quantify expenses incurred by Summit County in connection with the opioid problem, there have been efforts to identify opioid-related expenses, right?

**A.** Correct.

**Q.** But there's been no effort to separate out opioid-related expenses by drug?

**A.** Correct.

**Q.** Has there ever been an effort to separate out or allocate those opioid-related expenses based on which company made them, which company distributed them, or which company provided them to individuals?

**A.** There has not.<sup>23</sup>

- Darin Kearns (Deputy Director of Fiscal Services, Summit County):

**Q.** To your knowledge, had anyone prepared any analysis of the financial impact of opioids on Summit County Children Services before you came on board in June of 2016?

**A.** Not to my knowledge.<sup>24</sup>

- Shane Barker (Jail Administrative Captain, Summit County):

**Q.** How would you attempt to quantify the proportion of jail expenses attributable to the opioid epidemic?

**A.** ...I'm not a...fiscal guy....I wouldn't know where to begin.

**Q.** Do you believe it's possible to undertake that exercise?

**A.** I think somebody could probably do it. Probably not me.

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<sup>23</sup> See deposition of Brian Nelsen dated December 19, 2018, pp. 357:16-358:8.

<sup>24</sup> See deposition of Darin Kearns dated December 5, 2018, p. 79:4-8.

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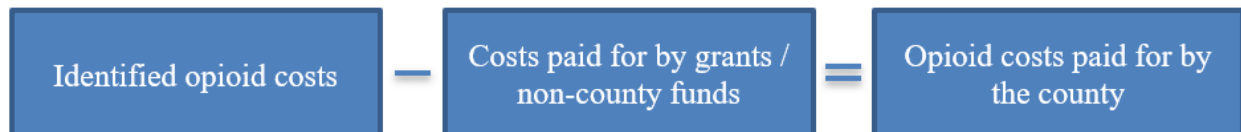
**Q.** And what information do you think would be required in order to undertake that analysis?

**A.** Somebody would have to know an awful lot about the jail to do it, and I don't know what all it would be, what would be required.<sup>25</sup>

Despite the counties' lack of effort to quantify the impact of the opioid crisis, and because the counties did not separately account for or otherwise segregate their costs related to prescription opioid abuse, I sought to identify costs paid for by the counties related to all opioid abuse to benefit the Court in the event it finds damages warranted beyond the harms caused solely by prescription opioid abuse.

## **2. Identification of Direct Costs**

As my starting point to identify opioid costs (prescription and general), I reviewed the available information to identify specific costs paid for by the counties that could be directly identified as being related to the counties' efforts to prevent, treat, combat or otherwise respond to opioid abuse. This technique is well accepted in the accounting profession and does not require any unnecessary speculation or unreasonable assumptions.<sup>26</sup> My calculation of direct costs can be summarized as follows:<sup>27</sup>



My starting point to identify direct costs was to review the budgets and audited financial reports of the counties.<sup>28</sup> I noted, however, that these financial reports contain few references to

<sup>25</sup> See deposition of Shane Barker dated November 28, 2018, p. 307:1-21.

<sup>26</sup> Para. 148 of AICPA Practice Aid 06-4 states, "A relatively straightforward method of calculating damages is based upon the out-of-pocket costs or investment the plaintiff has incurred in the project. Under this method, the out-of-pocket costs incurred related to the project are aggregated and become the measure of damages." What are referred to as "out-of-pocket costs" in the prior sentence are what I have calculated as direct costs in this report.

<sup>27</sup> My calculation of direct costs was limited to costs incurred by the "affected divisions" in excess of their ordinary provision of service and other costs where the division is unknown.

<sup>28</sup> To the extent available, the budgets and annual reports I reviewed for Cuyahoga County include the Budget Plan, the Administrator's/Executive's Recommended Budget, and the Comprehensive Annual Financial Report and attached Single Audit report. To the extent available, the budgets and annual reports I reviewed for Summit County include the Operating Budget and Comprehensive Annual Financial Report.

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opioid costs.<sup>29</sup> As such, I sought to identify and review other underlying county and “affected division” accounting and financial records to identify opioid costs. In my review of these records, I noted that some contain references to general opioid costs (especially in more recent years). For example, I identified expense accounts established for general opioid costs in accounting data produced by Summit County.<sup>30</sup> However, for most of the underlying county and “affected division” financial records, opioid costs were not separately accounted for or otherwise segregated. Therefore, to supplement my review of the available financial records, I applied search terms across the entire set of Cuyahoga County and Summit County production documents available to me. My search terms included both general opioid-related terms such as “opioid,” “naloxone,” and “heroin,” and other specific terms such as “Vivitrol” and “DAWN.”<sup>31</sup> In some instances, my review of the accounting and financial records, and production documents only yielded a general reference to an opioid cost and not the cost amount. To the extent I could not otherwise identify the cost amount within the available information, I prepared an estimate of the cost amount, if possible, based on the best evidence available.<sup>32</sup>

In my identification of opioid costs (prescription and general), I also sought to determine the source of funds used to pay for the cost. If I was able to determine the source of funds to be, at least in part, a grant or other non-county funds, I deducted the amount of the grant or non-county funds such as state or federal funding. My rationale for deducting the amount of the opioid costs paid for by grant or other non-county funds is that regardless of the available use of the grant or other non-county funds, the opioid costs were not the burden of the Plaintiffs.<sup>33</sup> In most instances, however, it is not possible to determine how an opioid cost was ultimately paid for due to the nature of the Plaintiffs’ accounting and financial records and the absence of funding information in the document(s) that reference the opioid cost. In the instances where I

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<sup>29</sup> See Section V.B (“Overview of County Governments”) for further detail of my identified opioid references in the budgets and annual financial reports of the counties.

<sup>30</sup> See SUMMIT\_002054603.

<sup>31</sup> See Appendix 3 – Search Terms.

<sup>32</sup> See Sections V.C (“Analysis of the ‘Affected Divisions’ of Cuyahoga County”) and V.D (“Analysis of the ‘Affected Divisions’ of Summit County”) for further detail of my identified opioid costs for Cuyahoga County and Summit County, respectively.

<sup>33</sup> Additionally, I would assume to the extent discretionary grants were used to pay for opioid costs, the grants were evenly distributed across all of the county’s costs, not solely opioid costs.



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was not able to determine the source of funds used to pay for the opioid cost, I included the cost in my calculation of direct costs to be conservative and for the benefit of the Plaintiffs.

### 3. Identification and Analysis of Incremental Costs

As mentioned, I view the direct cost methodology to be the most reliable because a determination of the cause of incremental costs can be less precise and subject to judgment. Nevertheless, to be conservative, I next analyzed the expenditures of the nineteen “affected divisions” identified by McGuire to determine if there were any incremental increases in county-funded expenditures that could be related to the counties’ efforts to respond to opioid abuse which I did not otherwise identify in my search for direct costs.<sup>34</sup> These nineteen “affected divisions” were as follows:

County	Affected Divisions
Cuyahoga	<ol style="list-style-type: none"> <li>1. Alcohol, Drug Addiction &amp; Mental Health Services (“ADAMHS”) Board</li> <li>2. Children and Family Services</li> <li>3. Office of the Prosecutor</li> <li>4. Office of the Public Defender</li> <li>5. Court of Common Pleas</li> <li>6. Juvenile Court</li> <li>7. Sheriff’s Department</li> <li>8. County Jail</li> <li>9. Medical Examiner</li> </ol>
Summit	<ol style="list-style-type: none"> <li>1. Alcohol, Drug Addiction &amp; Mental Health Services (“ADM”) Board</li> <li>2. Children Services</li> <li>3. Prosecutor’s Office</li> <li>4. Court of Common Pleas</li> <li>5. Juvenile Court</li> <li>6. Sheriff’s Office</li> <li>7. County Jail</li> <li>8. Alternative Corrections</li> <li>9. Adult Probation Department</li> <li>10. Medical Examiner</li> </ol>

I analyzed the expenditures of the “affected divisions” in total, by cost category (e.g., compensation and benefits and non-compensation costs), and by line item (e.g., maintenance &

<sup>34</sup> See McGuire Report, para 9 and Table IV.1 (“Bellwether Divisions Affected by Opioids”).

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repair). To the extent I identified any fluctuations in expenditures, I reviewed the available information related to the “affected division” to determine if the fluctuation could be related to the counties’ efforts related to opioid abuse. This information included the budgets and annual reports of the counties, annual reports of the “affected divisions” (to the extent available), weekly/monthly/quarterly management reports, board meeting minutes, accounting data, and other specific data sets (e.g., criminal charges for the Office of the Prosecutor). I also reviewed depositions of county personnel for context. If the fluctuation in expenditures related to compensation and benefits, I also analyzed the change in headcount.

Based on my analysis and review of the available information, if there were incremental increases in county-funded expenditures that could be related to the counties’ efforts to respond to opioid abuse, I quantified the incrementality by determining when the incremental expenses began and what those expenses would have been “but for” the counties’ efforts.<sup>35</sup>

#### **4. Calculation of Maximum Past Opioid Costs**

My calculation of maximum past opioid costs represents the sum of my identified direct costs and incremental costs of the “affected divisions” (and for direct costs, where the division is unknown). The detail of my analysis to calculate maximum past opioid costs is described in Section V.E.

In certain instances my methodology to identify opioid costs resulted in the identification of no direct or incremental costs for an “affected division” (e.g., Cuyahoga County Office of the Public Defender). In these instances, I do not believe it is appropriate to allocate a portion of the “affected divisions” total costs (or sub-set of total costs) to calculate past opioid costs. Any attempt by me to do so could not be done with reasonable certainty due to the lack of detailed records within the available information.

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<sup>35</sup> My calculation of incremental costs was limited to incremental expenses in excess of the ordinary provision of services of the “affected divisions.”

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## **B. Overview of the County Governments**

### **1. Cuyahoga County**

Cuyahoga County covers an area of 460 square miles, has a population of 1.2 million, and houses a collection of 57 cities and villages, including the City of Cleveland, the county seat.<sup>36</sup> In 2017, the county employed 7,397 persons (compared to 9,295 persons in 2006).<sup>37</sup> The county provides many services to its citizens including tax collection and distribution, civil and criminal justice systems, public safety, health assistance, human services, road and bridge maintenance, and other general and administrative support services.<sup>38</sup>

Municipalities within the county, including the City of Cleveland, provide public safety, including police and fire functions; construction, maintenance, and repair of streets and sidewalks; certain sanitation and health activities; recreation, including parks, playgrounds, and swimming pools; certain public service enterprises such as collection, recycling, and disposal of solid wastes and operation of sewer and water systems, airports, and hospitals; and certain planning and zoning functions.<sup>39</sup>

In 2017, the county recorded \$1.326 billion in total governmental revenues (compared to \$1.421 billion in 2006).<sup>40</sup> The county derives the majority of its revenues through intergovernmental revenues (\$466 million), property taxes (\$354 million), and sales tax collections (\$262 million).<sup>41</sup> Intergovernmental revenues include federal grants, state grants, and other shared revenue sources.<sup>42</sup> Intergovernmental revenues represented 35% of total governmental revenues in 2017.

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<sup>36</sup> See Cuyahoga 2017 CAFR, p. viii.

<sup>37</sup> See Cuyahoga 2006 CAFR, p. 145. and Cuyahoga 2017 CAFR, p. S36.

<sup>38</sup> See Cuyahoga 2017 CAFR, p. viii.

<sup>39</sup> See Cuyahoga 2017 CAFR, p. viii.

<sup>40</sup> See Cuyahoga 2006 CAFR, pp. 24-25 and Cuyahoga 2017 CAFR, pp. 24-25.

<sup>41</sup> See Cuyahoga 2017 CAFR, pp. 24-25.

<sup>42</sup> See Cuyahoga 2017 CAFR, p. 6.

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Although the county has experienced financial challenges, total revenues have increased since 2013.<sup>43</sup> Cuyahoga County's treasurer described the county's financial challenges as follows:

The Cuyahoga County has the -- in general or in a global sense, the same challenges I think that are endemic in western cities, a smaller tax base, aging infrastructure, population loss.<sup>44</sup>

The county currently prepares a two-year (or biennial) budget plan. The biennial budget plan is produced by the Office of Budget and Management ("OBM"), who is responsible for the analysis and interpretation of financial matters affecting the county. The county also prepares a Comprehensive Annual Financial Report ("CAFR"). The CAFR is the county's final audited financial results and includes the independent auditors' report, basic financial statements, and supplementary information. Additionally, the CAFR is typically accompanied by a Single Auditor report prepared by the Ohio Auditor of State.

The budgets and CAFR are critical to understanding the county's finances. The transmittal letter of the Fiscal Officer attached to the CAFR purports the CAFR "include[s] all disclosures necessary to enable the reader to gain an understanding of the County's financial activities."<sup>45</sup> It is notable, however, that these documents do not significantly discuss the financial impact of the opioid crisis to the county. In fact, the first reference to opioids in the county's budgets and Single Audits/CAFRs was 2014 and 2012, respectively. Further, the county did not even acknowledge the opioid epidemic as a "strategic priority" in its CAFR until 2017.<sup>46</sup> Tables V.B.1-1 and V.B.1-2 are summaries of the opioid-related references in the county's budgets and Single Audits/CAFRs from 2006 to present.

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<sup>43</sup> Total revenues in 2013 were \$1.224 billion (see Cuyahoga 2013 CAFR, pp. 22-23), total revenues in 2014 were \$1.257 billion (see Cuyahoga 2014 CAFR, pp. 22-23), total revenues in 2015 were \$1.265 billion (see Cuyahoga 2015 CAFR, pp. 26-27), total revenues in 2016 were \$1.325 billion (see Cuyahoga 2016 CAFR, pp. 24-25), and total revenues in 2017 were \$1.326 billion (see Cuyahoga 2017 CAFR, pp. 24-25).

<sup>44</sup> See deposition of W. Christopher Murray dated February 21, 2019, pp. 382:22-383:1.

<sup>45</sup> See Cuyahoga 2017 CAFR, p. vi.

<sup>46</sup> See Cuyahoga 2017 CAFR, p. xii.

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**Table V.B.1-1: Opioid-Related References – Cuyahoga Budgets**

Document Type	Period	Issue Count	Instance Count	Division Instance Count	ADAMHS Board	Opioid-Related References							
						Children and Family Services	Office of the Prosecutor	Office of the Public Defender	Court of Common Pleas	Juvenile Court	Sheriff's Department	County Jail	Medical Examiner
Budget Plan	2006												
	2007												
	2008												
	2009												
	2010												
	2011												
	2012 - 2013												
	2014 - 2015	2	2	2	-	-	-	-	1	-	-	-	1
	2016 - 2017	3	4	4	-	-	-	-	-	-	1	-	3
	2018 - 2019	1	2	2	-	-	-	-	-	-	-	-	2
<b>Subtotal</b>		<b>6</b>	<b>8</b>	<b>8</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>6</b>
Recommended Budget	2006												
	2007												
	2008												
	2009												
	2010												
	2011												
	2012 - 2013												
	2014 - 2015												
	2016 - 2017	1	2	2	-	-	-	-	-	-	-	-	2
	2018 - 2019	6	7	10	1	2	-	-	1	-	-	1	5
<b>Subtotal</b>		<b>7</b>	<b>9</b>	<b>12</b>	<b>1</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>7</b>
<b>Total</b>		<b>13</b>	<b>17</b>	<b>20</b>	<b>1</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>13</b>

*Note 1:* Table based on the search terms “Opiate,” “Opioid,” “Opium,” “Heroin,” “Naloxone,” “Naltrexone,” “Narcan,” “Suboxone,” “Buprenorphine,” “Methadone,” “Vivitrol,” “Carfentanil,” “Fentanyl,” “DAWN,” “Subutex,” “Sublocade,” “Probuphine,” “Evzio,” “Bunavail,” “Zubsolv,” “Revia,” “Dolophine,” and “Methadose.”

*Note 2:* “Issue Count” represents the count of opioid-related issues discussed in the financial report (i.e., not individual instances of search terms).

*Note 3:* “Instance Count” represents the count of individual instances search terms appeared in the financial report.

*Note 4:* “Division Instance Count” represents the count of times the “affected division” was associated with individual instances of search terms appearing in the financial report (e.g., a specific search term may correspond to multiple divisions for a unique issue; therefore, the search term would be listed as a division instance count for each division it relates to).

*Sources:* Cuyahoga 2006-2018/2019 Budget Plans; Cuyahoga 2006-2018/2019 Recommended Budgets.

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**Table V.B.1-2: Opioid-Related References – Cuyahoga Single Audits and CAFRs**

Opioid-Related References													
Document Type	Period	Issue Count	Instance Count	Division Instance Count	ADAMHS Board	Children and Family Services	Office of the Prosecutor	Office of the Public Defender	Court of Common Pleas	Juvenile Court	Sheriff's Department	County Jail	Medical Examiner
Single Audit	2006	No opioid-related references											
	2007												
	2008												
	2009												
	2010												
	2011												
	2012	1	2	2	-	-	-	-	2	-	-	-	-
	2013	2	3	3	-	-	-	-	3	-	-	-	-
	2014	3	4	4	1	-	-	-	3	-	-	-	-
	2015	2	3	3	-	-	-	-	3	-	-	-	-
2016	1	4	4	4	4	-	-	-	-	-	-	-	
2017	2	4	4	4	4	-	-	-	-	-	-	-	
Subtotal		11	20	20	9	-	-	-	11	-	-	-	-
CAFR	2006	No opioid-related references											
	2007												
	2008												
	2009												
	2010												
	2011												
	2012	2	4	4	-	-	-	-	4	-	-	-	-
	2013	2	4	4	-	-	-	-	4	-	-	-	-
	2014	2	4	4	-	-	-	-	4	-	-	-	-
	2015	2	2	2	-	-	-	-	2	-	-	-	-
2016	-	-	-	-	-	-	-	-	-	-	-	-	
2017	1	3	3	-	2	-	-	-	-	-	1	-	
Subtotal		9	17	17	-	2	-	-	14	-	-	1	-
Total		20	37	37	9	2	-	-	25	-	-	1	-

*Note:* See Notes 1-4 at Table V.B.1-1.

*Sources:* Cuyahoga 2006-2017 Single Audits and CAFRs.

## 2. Summit County

Summit County covers an area of 419 square miles, has a population of 541,781 and houses a collection of 31 cities and townships, including Akron, the county seat.<sup>47</sup> In 2017, the county employed 3,032 persons (compared to 3,516 persons in 2006).<sup>48</sup> The county provides many services to its citizens including tax collection and distribution, civil and criminal justice systems, public safety, health assistance, human services, road and bridge maintenance, and other general and administrative support services.<sup>49</sup>

<sup>47</sup> See Summit 2017 CAFR, p. v.

<sup>48</sup> See Summit 2006 CAFR, p. 138 and Summit 2017 CAFR, p. S-20.

<sup>49</sup> See Summit 2017 CAFR, p. v.

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In 2017, the County recorded \$413 million in total governmental revenues (compared to \$436 million in 2006).<sup>50</sup> The county derives the majority of its revenues through intergovernmental revenues (\$166 million), property taxes (\$46 million), and charges for services (\$50 million).<sup>51</sup> Intergovernmental revenues include federal grants, state grants, and other shared revenue sources.<sup>52</sup> Intergovernmental revenues represented 40% of total governmental revenues in 2017.

The “Great Recession hit Summit County” in 2009.<sup>53</sup> Consequently, to address declining revenues, the county enacted a Voluntary Separation Plan that offered early retirement incentives for county employees that agreed to end their employment.<sup>54</sup> Despite the economic downturn and funding cuts from the State of Ohio,<sup>55</sup> the County has experienced slow revenue growth since 2014.<sup>56</sup> In 2017 total revenues were still \$56 million less than they were in 2009.<sup>57</sup>

Summit County currently produces a yearly operating budget plan. The yearly budget is prepared by the Department of Finance and Budget and then submitted to City Council “along with the goals of the various offices boards and commissions” for review and approval.<sup>58</sup> Summit County also prepares a CAFR each year, which represents the county’s final audited financial results and includes the independent auditor’s report, basic financial statements, and supplementary information.

The budgets and CAFR are critical to understanding the county’s finances. The transmittal letter of the Fiscal Officer attached to the CAFR purports the CAFR to include “all disclosures necessary to enable the reader to gain an understanding of the County’s financial

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<sup>50</sup> See Summit 2006 CAFR, pp. 24-25 and Summit 2017 CAFR, pp. 26-27.

<sup>51</sup> See Summit 2017 CAFR, pp. 26-27.

<sup>52</sup> See Summit 2017 CAFR, p. 8.

<sup>53</sup> See 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, p. 206:21-24.

<sup>54</sup> See Summit 2008 CAFR, p. 7.

<sup>55</sup> See 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, p. 207:7-10.

<sup>56</sup> See Summit 2017 CAFR, Table 5 and Summit 2014 Operating Budget, p. 83.

<sup>57</sup> See Summit 2017 CAFR, Table 5.

<sup>58</sup> See Summit County 2018 Operating Budget, p. 28.

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activities.”<sup>59</sup> It is notable, however, that these documents do not significantly discuss the financial impact of the opioid crisis to the county. In fact, the first reference to opioids in the county’s budgets is 2012 and the county’s CAFRs does not reference opioids in any year. Tables V.B.2-1 and V.B.2-2 are summaries of the opioid-related references in the county’s budgets and CAFRs from 2006 to present.

**Table V.B.2-1: Opioid-Related References – Summit Budgets**

Document Type	Period	Opioid-Related References												
		Issue Count	Instance Count	Division Instance Count	ADM Board	Children Services	Prosecutor's Office	Court of Common Pleas	Juvenile Court	Sheriff's Office	County Jail	Alternative Corrections	Adult Probation	Medical Examiner
Operating Budget	2006	1	1	1	-	-	-	-	-	1	-	-	-	-
	2007													
	2008													
	2009													
	2010													
	2011													
	2012	3	12	12	12	-	-	-	-	-	-	-	-	-
	2013	6	18	18	18	-	-	-	-	-	-	-	-	-
	2014	4	11	11	11	-	-	-	-	-	-	-	-	-
	2015	1	1	1	-	-	-	-	-	1	-	-	-	-
	2016	1	1	1	-	-	-	-	-	1	-	-	-	-
	2017	5	8	8	2	1	4	-	-	1	-	-	-	-
	2018	8	12	12	2	1	4	2	-	1	-	-	-	2
	2019	6	10	12	2	-	5	2	-	1	-	-	2	-
<b>Total</b>		<b>35</b>	<b>74</b>	<b>76</b>	<b>47</b>	<b>2</b>	<b>13</b>	<b>4</b>	<b>-</b>	<b>6</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>2</b>

*Note:* See Notes 1-4 at Table V.B.1-1.

*Sources:* Summit 2006-2019 Operating Budgets.

**Table V.B.2-2: Opioid-Related References – Summit CAFRs**

Document Type	Period	Opioid-Related References												
		Issue Count	Instance Count	Division Instance Count	ADM Board	Children Services	Prosecutor's Office	Court of Common Pleas	Juvenile Court	Sheriff's Office	County Jail	Alternative Corrections	Adult Probation	Medical Examiner
CAFR	2006													
	2007													
	2008													
	2009													
	2010													
	2011													
	2012													
	2013													
	2014													
	2015													
	2016													
	2017													
<b>Total</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

*Note:* See Notes 1-4 at Table V.B.1-1.

*Sources:* Summit 2006-2017 CAFRs.

<sup>59</sup> See Summit 2017 CAFR, p. iv.



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## **C. Analysis of the “Affected Divisions” of Cuyahoga County**

### **1. ADAMHS Board**

The Cuyahoga County ADAMHS Board (or ADAMHS)<sup>60</sup> is “responsible for the planning, funding and monitoring of public mental health and addiction treatment and recovery services delivered to the residents of Cuyahoga County.”<sup>61</sup> ADAMHS does not directly provide any services, but contracts with local agencies as a safety net for those in need of critical mental health and addiction service treatment.

ADAMHS is a quasi-independent part of the county government that is partially funded from the health and human services levy.<sup>62</sup> ADAMHS also receives funding from multiple non-local sources including federal and state funds.

The ADAMHS board is comprised of Addiction Services and Mental Health Services.

- **Addiction Services:** Funds addiction services for residents who suffer from substance abuse and dependency to alcohol or drugs such as cocaine, cannabis, or heroin/opioids. Addiction services include residential treatment, housing, counseling, prevention, and detoxification.<sup>63</sup>
- **Mental Health Services:** Funds mental health services for residents who suffer from mental illness such as depression, anxiety, bipolar disorder, schizophrenia, and hoarding behaviors. These services include residential treatment, crisis intervention, peer support, and education.<sup>64</sup>

The information I considered in my analysis of ADAMHS included, but was not limited to, the following:

- County Budgets and CAFRs

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<sup>60</sup> On July 1, 2009, the Alcohol and Drug Addiction Services Board consolidated with the Community Mental Health Board to create the ADAMHS Board.

<sup>61</sup> See <http://www.adamhscc.org/>.

<sup>62</sup> See deposition of Ralph Piatak dated January 14, 2018, pp. 30:13-32:12.

<sup>63</sup> See ADAMHS Annual Report, 2017, p. 8.

<sup>64</sup> See ADAMHS Annual Report, 2017, p. 8.

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- ADAMHS annual reports
- ADAMHS budgets
- ADAMHS claims data
- ADAMHS funding and expenditure data reported to Ohio Department of Mental Health & Addiction Services (“Ohio MHAS”)
- Depositions and exhibits of relevant personnel
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I identified no direct costs related to prescription opioids for the ADAMHS Board. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total direct costs of \$2,235,174 for the ADAMHS Board.<sup>65</sup> These direct costs included the following:

- \$38,704 for Suboxone outpatient treatment expenditures in 2014.
- \$180,321 for new proposed core contracts with Stella Maris and Cleveland Treatment Center regarding the expansion of sober beds in 2015.
- \$41,965 for a Heroin Prevention Campaign in 2016.
- \$995,303 for Fentanyl Test Strip Program and Heroin Prevention Campaign in 2017.
- \$823,573 for the “Cuyahoga County & City of Cleveland Tackling Heroin Partnership” initiatives including Medication Assisted Treatment Based Services and Sober Beds, Ambulatory Detoxification Initiative, Recovery Supports, Medication (Vivitrol and Naloxone), and the Quick Response Protocol Pilot Initiative in 2017.
- \$132,451 for opiate conferences, Heroin Prevention Campaigns, and MAT/Suboxone/Vivitrol cash disbursement expenditures in 2011 through 2017.
- \$22,858 for Suboxone addiction services with St. Vincent Charity in 2017 through 2018.

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<sup>65</sup> See Appendix 4 – Cuyahoga County Direct Costs.

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I found no evidence which indicates these direct costs were specific to prescription opioids.

Additionally, I identified \$5,383,007 of general opioid costs for the ADAMHS Board not paid for by the county.<sup>66</sup> These general opioid costs were paid for by the Mid-Biennium Review state funding allocations, Ohio Mental Health and Addiction Services, the City of Cleveland, and the Federal CURES Act grants. Since these general opioid costs were not the burden of the county, they are excluded from my total direct costs.

### b) Identification and Analysis of Incremental Costs

Based on my review of the available information, I identified no incremental costs specifically relating to prescription opioids for the ADAMHS Board. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total incremental costs of \$1,080,231 for the ADAMHS Board. My analysis of incremental costs is presented below.

Table V.C.1-1 is a summary of expenditures and key metrics of the ADAMHS Board for the period 2006 through 2017.

**Table V.C.1-1: Summary of Expenditures and Key Metrics**

ADAMHS Board (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Δ (13-17)	% Δ (13-17)	CAGR (13-17)
Addiction Services				\$35.5	\$32.1	\$32.4	\$36.7	\$18.3	\$15.1	\$18.5	\$19.8	\$23.3	\$5.0	27.2%	6.2%
Mental Health Services	\$118.4	\$120.9	\$123.6	\$121.3	\$126.1	\$127.6	\$152.3	\$46.3	\$43.6	\$45.7	\$47.4	\$49.9	\$3.6	7.8%	1.9%
Total Costs				\$156.8	\$157.6	\$160.0	\$189.4	\$67.1	\$66.6	\$64.2	\$67.9	\$73.1	\$6.1	9.0%	2.2%
Addiction Services as % of Total Costs				22.6%	20.4%	20.2%	19.4%	27.3%	22.7%	28.8%	29.2%	31.8%	4.5%		
County Contribution (HHS Levy)	\$37.8	\$38.9	\$37.9	\$36.4	\$36.0	\$33.6	\$35.1	\$34.9	\$39.4	\$39.4	\$39.4	\$39.4	\$4.5	12.9%	3.1%
Total Opioid-Classified Addiction Clients Served	1,640			1,961	2,031	2,047	2,303	1,409	1,304	987	840	1,535	126	8.9%	2.2%
Total Addiction Clients Served	12,287			9,707	9,123	9,185	10,522	5,273	4,272	3,555	2,803	3,232	(2,041)	-38.7%	-11.5%
% of Opioid-Classified Addiction Clients Served	13.3%			20.2%	22.3%	22.3%	21.9%	26.7%	30.5%	27.8%	30.0%	47.5%	20.8%		

*Note 1:* In 2009, the former Alcohol and Drug Addiction Services Board of Cuyahoga County and the Cuyahoga County Community Mental Health Board (or CCMH) consolidated to form ADAMHS. Therefore, ADAMHS annual reports are not available prior to 2009. Additionally, there are no annual reports available for the Alcohol and Drug Addiction Services Board from 2006-2008.

*Note 2:* Expenditure and client data for 2009-2011 represents the fiscal period June 30 of the preceding year through July 1. Expenditure and client data for 2012 represents the fiscal period July 1, 2011 through

<sup>66</sup> See Appendix 4 – Cuyahoga County Direct Costs.

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December 31, 2012 (i.e., 18-months). Expenditure and client data for 2013-2017 represents the fiscal period January 1 through December 31.

*Note 3:* Expenditure and client data for 2009-2012 includes services paid for by Medicaid funds. Expenditure and client data for 2013-2017 excludes services paid for by Medicaid funds.

*Note 4:* Expenditure data for Addiction Services and Mental Health Services represents the sum of the “Service Category” expenditures as presented in the ADAMHS Annual Reports. Total Costs represents the total ADAMHS expenditures as presented in the “Financial Summary” in the ADAMHS Annual Reports. As a result, the expenditures for Addiction and Mental Health Services do not equal Total Costs for all years (e.g., 2013).

*Note 5:* The Cuyahoga County Contribution is funded by the Cuyahoga HHS Levy. Prior to the consolidation of the two boards, Cuyahoga County contributed to the Alcohol and Drug Addiction Services Board and Mental Health Board separately. Combined amounts in 2006, 2007, and 2008 totaled \$37.8, \$38.9, and \$37.9, respectively.

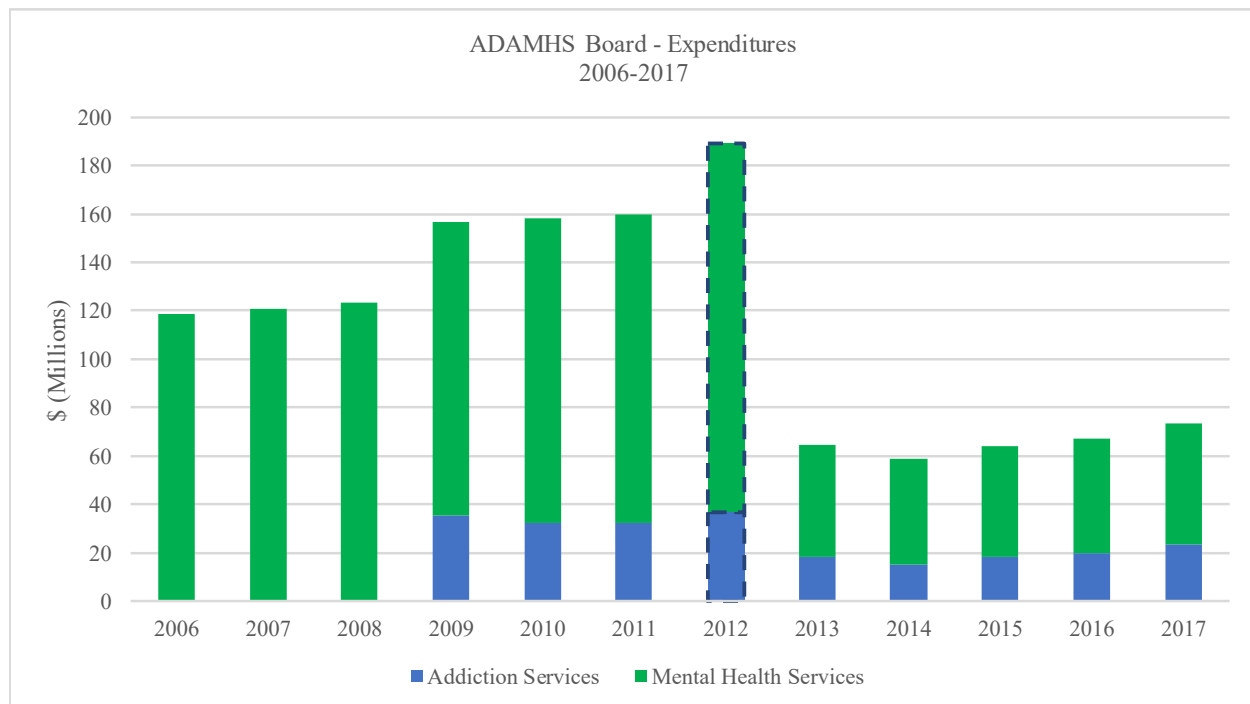
*Note 6:* “Total Opioid-Classified Addiction Clients Served” represent clients with a primary substance use diagnosis of “Opioid Type Dependence” or “Opioid Abuse” per the ADAMHS Annual Reports.

*Note 7:* ADAMHS does not report additional detail regarding its opioid clients, including those being treated for prescription opioid abuse or dependence versus illicit opioid abuse or dependence.

*Source:* CUYAH\_014627783; ADAMHS 2006-2017 Annual Reports; CUYAH\_016433196; CCMH 2006-2008 Annual Reports.

These expenditures and key metrics are further exhibited in the graphs below:

**Graph V.C.1-1: Summary of Expenditures**



*Note 1:* Breakout of Addiction Services is not available for 2006-2008.

*Note 2:* Expenditures for 2012 represent an 18-month period.

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In my review of the expenditures and key metrics of the ADAMHS Board, I noted the following:

- Addiction Services expenditures were relatively flat between 2009 and 2011, decreased in 2013 (noting 2012 was an 18-month period), fluctuated between 2013 and 2015, and then increased by \$4.8 million (or 25.8%) from 2015 to 2017.
- Total expenditures decreased by \$122.3 million from 2012 to 2013. This decrease is attributable in significant part to the shift in how Medicaid funds are paid by the State. Starting in 2013, the ADAMHS annual reports began reporting only the portion not paid by Medicaid funds. Additionally, total expenditures in 2012 reflect an 18-month period (see note 2 of Table V.C.1-1).
- County levy contributions have increased by \$1.6 million (or 4.2%) from 2006 to 2017.
- Opioid-classified addiction clients remained relatively flat between 2009 and 2012 (noting 2012 was an 18-month period), decreased between 2013 and 2016, and then increased in 2017 by 695 clients.<sup>67</sup>
- Opioid-classified addiction clients as a percentage of total addiction clients was relatively flat between 2009 and 2012, increased by 4.8% in 2013, remained relatively flat between 2013 and 2016, and then increased by 17.5% in 2017.

Expenditures for ADAMHS are comprised of two main categories: (1) board administration and (2) contract services. ADAMHS has relatively few employees that handle administrative functions, which keeps personnel cost low. Instead, the vast majority of expenditures fall under contract services, where third party agencies are paid for providing addiction and mental health services to clients served under ADAMHS.

Overall, expenditures were relatively flat between 2009 and 2012 (noting 2012 was an 18-month period), decreased in 2013, were relatively flat between 2013 and 2015, and then increased by \$4.8 million (or 25.8%) from 2015 to 2017. I understand that this increase in expenditures in 2016 and 2017 was substantially after prescription opioid prescriptions and

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<sup>67</sup> The increase from 2016 to 2017 was likely impacted by the 940 clients that were categorized as “Missing Diagnosis” in 2016 per the ADAMHS Annual report.

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shipments began to decrease in or around 2010,<sup>68</sup> and therefore the increase in expenditures could be related to heroin and fentanyl and not to prescription opioids, but I do not address causation or fault issues in this report, and present here simply incremental costs that could be related, at least in part, to opioids generally.

Beginning in 2013, ADAMHS stopped reporting expenditures and data for Medicaid clients as Medicaid claims were no longer processed by ADAMHS and instead claims were directly paid by the state.<sup>69</sup> Because of this shift in reporting, the ADMAHS data before and after 2012 is not comparable. Also, effective in 2014, Ohio adopted the Affordable Care Act which expanded Medicaid coverage to a larger percentage of the population, therefore lowering the number of clients served by ADAMHS.<sup>70</sup>

Both before and after 2013, the county obviously did not incur any costs for services covered by Medicaid. Therefore, for this reason, and due to the changes in Medicaid claim processing and related ADAMHS reporting, I analyzed the ADAMHS non-Medicaid expenditures.<sup>71</sup> These expenditures would include treatment for opioid abuse and dependency funded by ADAMHS (including both levy and state/federal funds). Graph V.C.1-2 depicts the ADAMHS non-Medicaid Addiction and Mental Health Services expenditures for 2009 to 2017.

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<sup>68</sup> See Cutler Report, p. 29.

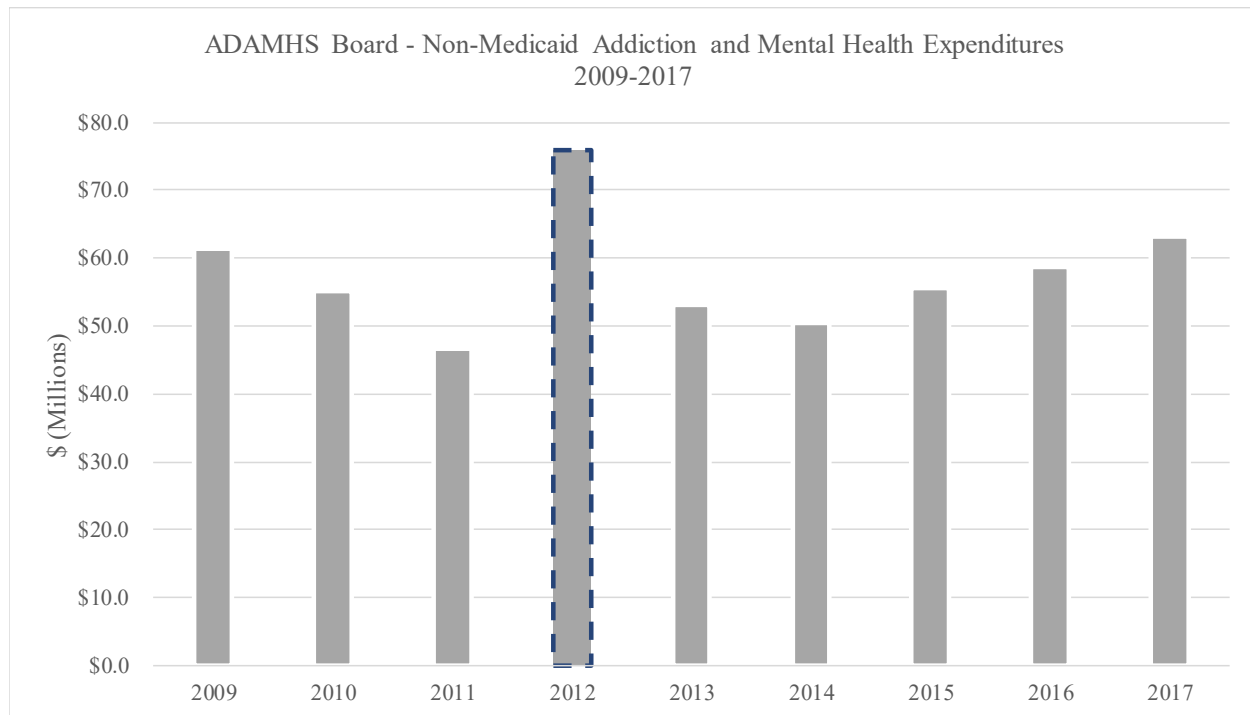
<sup>69</sup> See ADAMHS 2013 Annual Report, p. 2.

<sup>70</sup> See ADAMHS 2014 Annual Report, p. 4.

<sup>71</sup> AoD non-Medicaid expenditures were not separately reported in the ADAMHS annual reports except in 2009.

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**Graph V.C.1-2: ADAMHS Non-Medicaid  
Addiction and Mental Health Services Expenditures**



*Note 1:* Non-Medicaid Addiction and Mental Health Service expenditures includes Non-Medicaid Fee for Service and Board Grant expenditures.

*Note 2:* Expenditure data for 2009-2011 represent the fiscal period June 30 of the preceding year through July 1. Expenditure data for 2012 represent the fiscal period July 1, 2011 through December 31, 2012 (i.e., 18-months). Expenditure data for 2013-2017 represent the fiscal period January 1 through December 31.

*Source:* ADAMHS 2009-2017 Annual Reports.

As depicted in the graph above, non-Medicaid Addiction and Mental Health Services expenditures remained stable between 2010 and 2015 (noting 2012 was an 18-month period). ADAMHS continued to provide the ordinary provision of services for mental health and addiction services at consistent levels and did not incur costs in excess of the norm until 2016 when there is an increase in both number and percentage of opioid-classified addiction clients, increasing from 27.8% in 2015 to 47.5% in 2017.<sup>72</sup> Although the number of opioid-classified addiction clients served decreased from 987 in 2015 to 840 in 2016 and the percentage of opioid-classified addiction clients does not increase significantly (increasing from 27.8% in 2015 to

<sup>72</sup> See ADAMHS 2017 Annual Report, p.11.

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30% in 2016), there are 940 clients listed as “missing diagnosis.”<sup>73</sup> Additionally, ADAMHS does not report further detail regarding its opioid clients, including those being treated for prescription opioid abuse or dependence versus illicit opioid abuse or dependence.

Based on my review of the available information, I can reasonably determine that the incremental increases in Addiction Services expenditures in 2016 and 2017 could be related to opioids.<sup>74</sup> However, it should be noted that the incremental increases in 2016 to 2017 may be largely due to the rise in heroin and synthetic opioid abuse including fentanyl.<sup>75</sup>

Table V.C.1-2 is my calculation of incremental Addiction Services costs for the ADAMHS Board.

**Table V.C.1-2: Incremental Addiction Services Costs**

<b>ADAMHS Board</b>	<b>Average \$ (2013 - 2015)</b>	<b>2016</b>	<b>2017</b>	<b>Total (2016-2017)</b>
Addiction Services Expenditures	\$16,962,772	\$19,800,000	\$23,279,000	\$43,079,000
Incremental Costs		2,837,228	6,316,228	9,153,455
Less Direct Costs Identified		(322,161)	(6,259,937)	(6,582,098)
Remaining Incremental Costs		2,515,067	56,291	
% County Funded		42.0%	44.0%	
County-Funded Incremental Cost		\$1,055,440	\$24,792	\$1,080,231

*Note 1:* The 2013-2015 average Addiction Services Expenditures is calculated net of my direct costs for this period for the ADAMHS Board.

*Note 2:* County-funded percentage was determined utilizing data reported to Ohio MHAS by calculating the percentage of addiction services funded by the County Contribution/Levy.

*Sources:* ADAMHS 2013-2017 Annual Reports, OhioMHAS\_2804-00000003, OhioMHAS\_2804-00000004, ADAMHS Board Minutes, General Meeting, January 25, 2017 and January 31, 2018 ([http://adamhscc.org/pdf\\_adamhscc/en-US/Agenda/General%20Mtg%20packet%2001-25-17.pdf](http://adamhscc.org/pdf_adamhscc/en-US/Agenda/General%20Mtg%20packet%2001-25-17.pdf) and [http://adamhscc.org/pdf\\_adamhscc/en-US/General%20Mtg%20packet,%2001-31-18.pdf](http://adamhscc.org/pdf_adamhscc/en-US/General%20Mtg%20packet,%2001-31-18.pdf)).

My calculation of incremental costs is based on a baseline period of 2013-2015. I utilized 2013-2015 as a baseline period, because (1) Addiction Services expenditures declined

<sup>73</sup> See ADAMHS 2016 Annual Report, p.11.

<sup>74</sup> For purposes of my analysis, I assumed the clients listed as “missing diagnosis” in 2016 were, at least in part, receiving services related to opioid dependence.

<sup>75</sup> See “The Fentanyl Failure.” Washington Post, March 13, 2019.



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from 2013 to 2014 by \$3.2 million<sup>76</sup> and then increased by \$3.4 million from 2014 to 2015 – net 2013 to 2015 was flat, only up by \$0.2 million, (2) Opioid classified clients served decreased from 1,409 in 2013 to 1,304 in 2014 to 987 in 2015, and (3) Addiction Services expenditures in 2016 and 2017 are not comparable to years prior to 2013 because of the reporting and policy changes previously mentioned. For each year after 2015, I compared the total amount expended for Addiction Services to the average total Addiction Services expenditures between 2013 and 2015. Each yearly incremental increase, less any identified direct costs, was then multiplied by a factor representing the percentage of Addiction Services expenditures funded by the county using data reported to Ohio MHAS.<sup>77,78</sup>

In total, I calculated \$1,080,231 in incremental Addiction Services costs for ADAMHS. My calculation is conservative as it assumes all incremental Addiction Services are related to opioid abuse or dependence, which is likely not the case. Additionally, as previously noted, this increase may also be more closely related to the rise in heroin and synthetic opioid abuse including fentanyl.

## **2. Children and Family Services**

Per the Court's recent Orders,<sup>79</sup> my analysis of Cuyahoga County Children and Family Services is omitted, pending receipt of Children and Family Services case files from Plaintiffs. Upon receipt, I will provide my opinions on Cuyahoga County Children and Family Services in a separate supplemental report. I may also update certain summed cost tabulations presented in this report to be inclusive of my supplemental analysis.

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<sup>76</sup> The decline in AoD expenditures in 2014 is believed to be related to Medicaid expansion and the corresponding reduction in non-Medicaid AoD clients served. However, I included this year in my baseline period to the benefit of the Plaintiffs.

<sup>77</sup> See OhioMHAS\_2804-00000003 and OhioMHAS\_2804-00000004. Data submitted to Ohio's Mental Health and Addiction Services Department to show sources and uses of funding sources received by ADAMHS.

<sup>78</sup> Data submitted to Ohio MHAS breakouts out ADAMHS expenditures (Addiction and Mental Health Services) by funding source (Federal, State, County, Other).

<sup>79</sup> See Order re Objections to Discovery Ruling No. 17 from J. Polster dated April 10, 2019 (Dkt. No. 1535) and Order Granting an Extension to File a Single, Supplemental Report on Children's Services' Damages from SM Cohen dated May 7, 2019.

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### **3. Office of the Prosecutor**

The Cuyahoga County Office of the Prosecutor is responsible for the prosecution of criminal and civil cases and to protect the public's right to safety.<sup>80</sup> This division is also tasked with prosecuting complex cases of financial crimes and government corruption as well as developing prosecution strategies that address crime issues impacting the community.<sup>81</sup>

The Office of the Prosecutor is divided into six subdivisions: (1) Administration, (2) Criminal, (3) Civil, (4) Family Law, (5) Juvenile, and (6) Special Investigations.<sup>82</sup> Across these six subdivisions there are 24 units including, for example, Finance and Operations, General Civil Unit, Appeals Unit, General Felony Unit, Major Drug Offender Unit, Child Support Unit, Juvenile Justice Unit, Internet Crimes Against Children Unit, and the Sexual Assault Kit Task Force.

The information I considered in my analysis of the Office of the Prosecutor included, but was not limited to, the following:

- County budgets and CAFRs
- Expenditure data
- Headcount data
- Criminal charge data
- Relevant depositions and exhibits
- Publicly available information

#### **a) Identification of Direct Costs**

Based on my review of the available information, I identified no direct costs related to prescription opioids for Office of the Prosecutor. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with

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<sup>80</sup> See <http://prosecutor.cuyahogacounty.us/en-US/about-the-office.aspx> and Cuyahoga 2018/2019 Recommended Budget, p. 116.

<sup>81</sup> See <http://prosecutor.cuyahogacounty.us/en-US/Crime-Strategies.aspx> and <http://prosecutor.cuyahogacounty.us/en-US/Economic-Crime-Unit.aspx>.

<sup>82</sup> See <http://prosecutor.cuyahogacounty.us/en-US/units-divisions.aspx>.

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opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified direct costs of \$100,000 for the Office of the Prosecutor.<sup>83</sup> These direct costs related to the launch of the Prosecutor's "Let's Face Heroin Campaign" in 2015 and were paid for by the County's forfeiture funds. This campaign is not specific to prescription opioids.

### b) Identification and Analysis of Incremental Costs

Based on my review of the available information, I did not identify any incremental costs for the Office of the Prosecutor between 2006 and 2017, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

Table V.C.3-1 is a summary of expenditures and key metrics of the Office of the Prosecutor for the period 2006 through 2017.

**Table V.C.3-1: Summary of Expenditures and Key Metrics**

Office of the Prosecutor (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Δ (06-17)	% Δ (06-17)	CAGR (06-17)
Salaries	\$14.7	\$16.4	\$16.8	\$17.1	\$17.1	\$16.7	\$17.6	\$17.8	\$18.9	\$21.0	\$21.2	\$21.3	\$6.6	44.7%	3.4%
Benefits	\$5.4	\$5.5	\$5.7	\$5.3	\$5.6	\$5.7	\$6.3	\$6.1	\$6.6	\$7.3	\$7.9	\$8.2	\$2.8	51.0%	3.8%
Prof & Tech Services--Non-Contract	\$1.1	\$0.8	\$1.0	\$1.5	\$1.4	\$1.4	\$1.0	\$1.7	\$1.1	\$1.6	\$1.5	\$2.3	\$1.1	102.8%	6.6%
Space Maintenance	\$0.8	\$0.7	\$0.8	\$0.7	\$0.7	\$0.6	\$1.0	\$0.9	\$0.9	\$1.4	\$1.1	\$1.4	\$0.6	75.8%	5.3%
Computerized Software	\$0.4	\$0.7	\$1.4	\$1.5	\$0.8	\$0.6	\$0.8	\$0.6	\$0.7	\$0.8	\$0.6	\$0.9	\$0.5	139.7%	8.3%
Other Non-Compensation Costs	\$2.1	\$2.2	\$3.2	\$2.5	\$2.1	\$2.1	\$7.4	\$1.3	\$1.9	\$3.5	\$2.6	\$2.3	\$0.3	14.0%	1.2%
<b>Total Costs</b>	<b>\$24.5</b>	<b>\$26.3</b>	<b>\$29.0</b>	<b>\$28.5</b>	<b>\$27.9</b>	<b>\$27.1</b>	<b>\$34.1</b>	<b>\$28.4</b>	<b>\$30.1</b>	<b>\$35.6</b>	<b>\$34.8</b>	<b>\$36.4</b>	<b>\$11.9</b>	<b>48.6%</b>	<b>3.7%</b>
Compensation Costs (Salaries + Benefits)	\$20.2	\$21.9	\$22.6	\$22.4	\$22.8	\$22.3	\$23.9	\$23.9	\$25.5	\$28.3	\$29.0	\$29.5	\$9.4	46.4%	3.5%
Compensation Costs as % of Total Costs	82.4%	83.3%	77.6%	78.5%	81.6%	82.5%	70.0%	84.2%	84.6%	79.6%	83.5%	81.2%	-1.2%		
FTEs	322	340	337	329	333	328	339	319	347	361	365	357	35	10.9%	0.9%
(\$ Actual)															
Average Salaries per FTE	\$45,779	\$48,332	\$49,980	\$52,047	\$51,456	\$50,814	\$51,945	\$55,694	\$54,480	\$58,174	\$58,028	\$59,749	\$13,970	30.5%	2.5%
Average Benefits per FTE	\$16,881	\$16,188	\$16,950	\$15,971	\$16,937	\$17,323	\$18,446	\$19,257	\$19,005	\$20,328	\$21,523	\$22,995	\$6,114	36.2%	2.8%
Average Compensation Costs per FTE	\$62,660	\$64,520	\$66,930	\$68,019	\$68,393	\$68,136	\$70,391	\$74,952	\$73,485	\$78,501	\$79,550	\$82,744	\$20,085	32.1%	2.6%
Total Criminal Charges					57,146	54,348	51,219	50,673	53,887	53,885	54,588	50,955	(6,191)	-10.8%	-1.6%
Total Criminal Charges per FTE					172	166	151	159	155	149	150	143	(29)	-16.8%	-2.6%
Total Drug Charges					13,022	12,027	11,347	10,828	9,853	7,890	8,200	10,274	(2,748)	-21.1%	-3.3%
Total Drug Trafficking Charges					5,894	5,325	4,839	4,218	3,729	2,767	2,630	3,321	(2,573)	-43.7%	-7.9%
Drug Charges as % of Total Charges					22.8%	22.1%	22.2%	21.4%	18.3%	14.6%	15.0%	20.2%	-2.6%		

*Note 1:* Complete criminal charge data is not available prior to 2010.

*Note 2:* Absolute change, percent change, and CAGR metrics for criminal charges are calculated based on the years data was available.

*Note 3:* Drug charges include the following charges: 0607.20, 2923.241, 2925.02, 2925.03, 2925.041, 2925.05, 2925.07, 2925.09, 2925.11, 2925.12, 2925.13, 2923.14, 2923.141, 2925.22, 2925.23, 2925.24, 2925.31, 2925.37, and 4729.51.

<sup>83</sup> See Appendix 4 – Cuyahoga County Direct Costs.

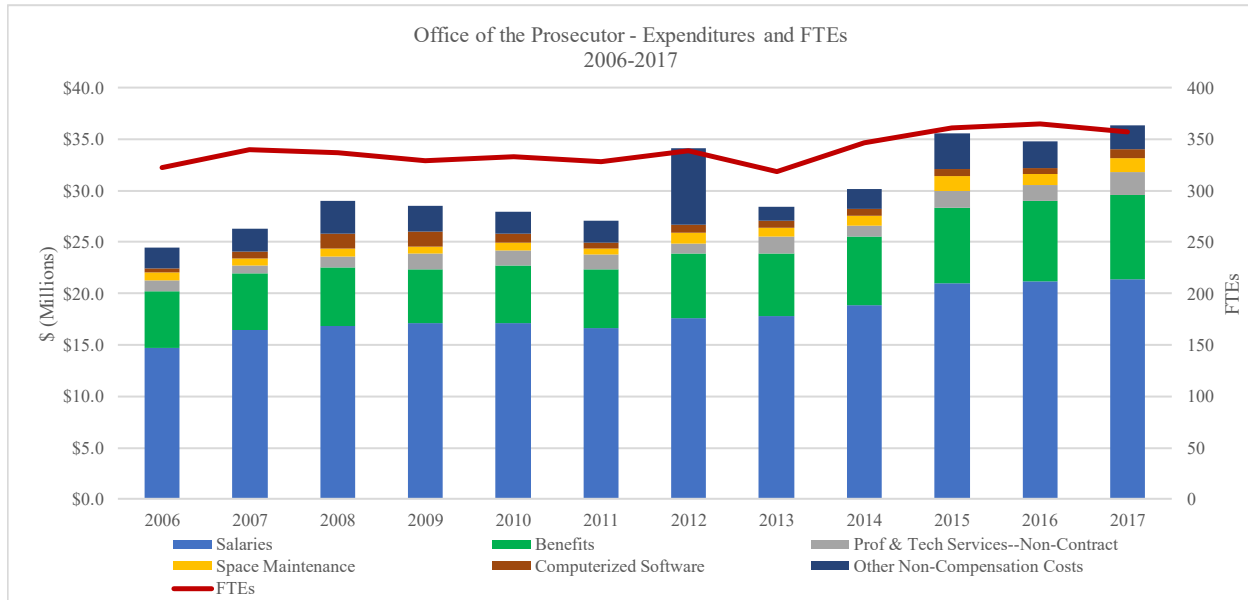
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*Note 4:* Drug trafficking charges were estimated based on the charge descriptions for charge codes 2925.03, 2925.05, 2925.07, and 2925.37 (omitted charges with description “Possession of Counterfeit Controlled Substances” in charge code 2925.37).

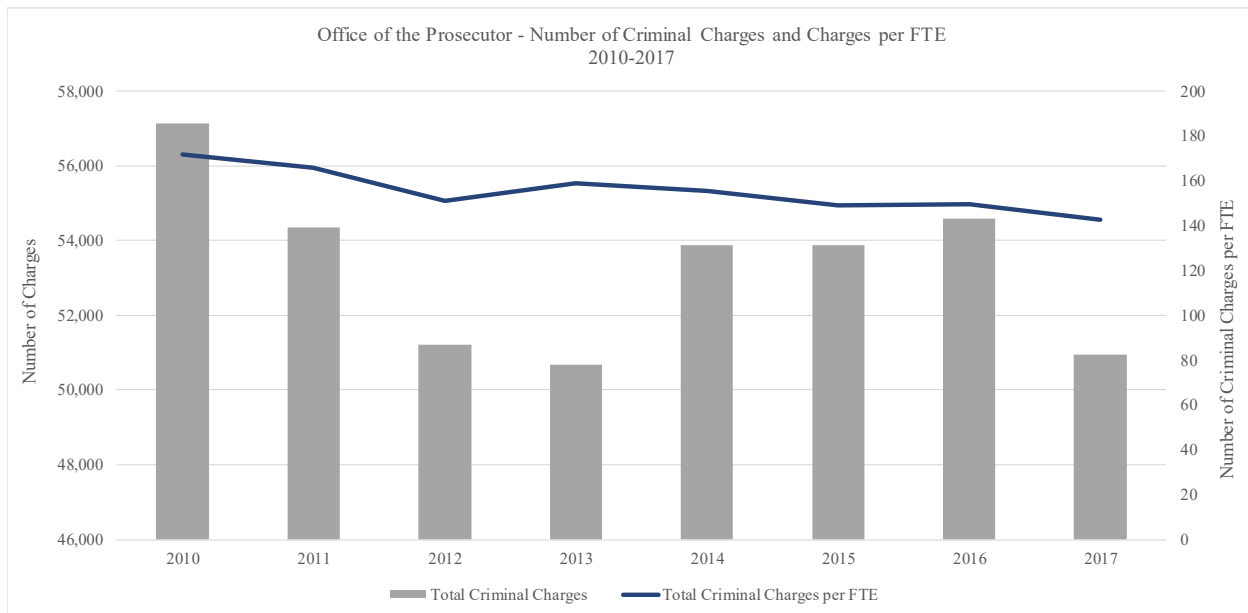
*Sources:* CUYAH\_014627783; CUYAH\_001714366; CUYAH\_000097414.

These expenditures and key metrics are further exhibited in the graphs below:

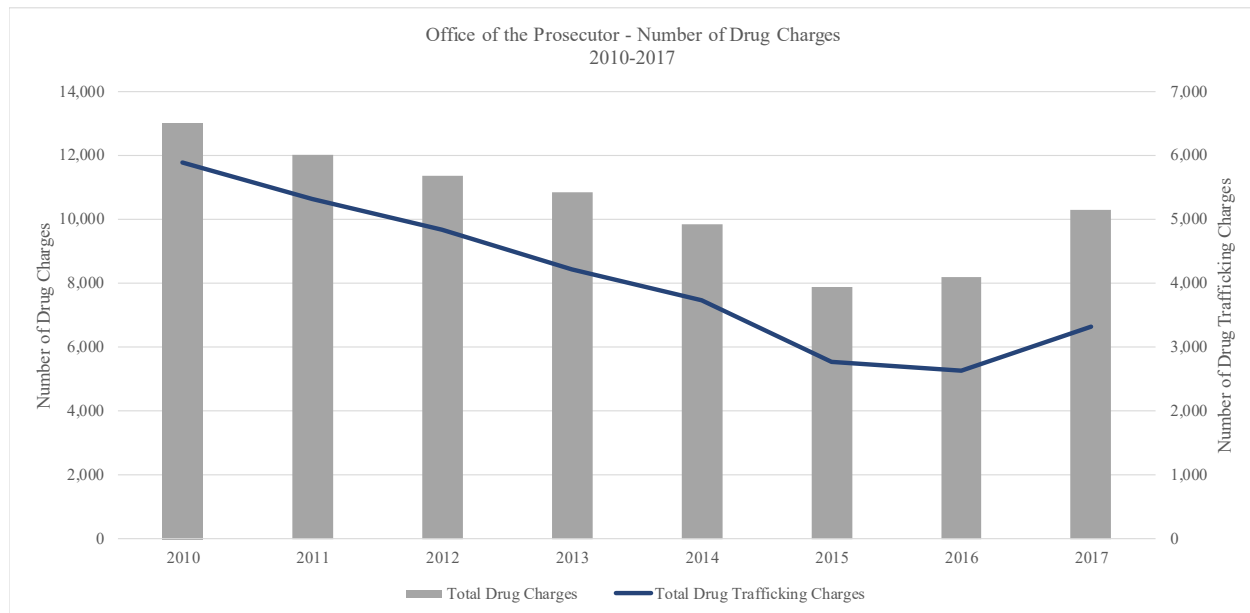
**Graph V.C.3-1: Expenditures and FTEs**



**Graph V.C.3-2: Criminal Charges**



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**Graph V.C.3-3: Drug Charges**

In my review of the expenditures and key metrics of the Office of the Prosecutor, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2017, but increased overall by \$9.4 million (or 46.4%).
- The CAGR of average compensation per FTE was 2.6%, which is slightly above the average inflation rate of state and local government employees' compensation of 2.4%.<sup>84</sup>
- Other non-compensation costs includes a \$5.0 million "Transfer Out" in 2012. I was unable to identify the purpose of the transfer in the available information.
- There was a net increase of 35 FTEs between 2006 and 2017, including a net decrease of 3 FTEs between 2006 and 2013 and a net increase of 38 FTEs between 2013 and 2017.
- Criminal charges per FTE declined from 172 to 143 between 2010 and 2017.

<sup>84</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2017 – Series I.D. CIU3010000000000Q (Not Seasonally Adjusted).

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**Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$9.4 million (or 46.4%) from 2006 to 2017 and represent 80.6% of total expenditures during the period.<sup>85</sup> There was a net increase of 35 FTEs between 2006 and 2017. Based on my review of the headcount data,<sup>86</sup> 15 of the 35 net FTE additions occurred in the Delinquent Tax and Assessment Collection section of the Office of the Prosecutor. The remaining 20 net FTEs pertained to a net increase of 36 FTEs in the General Office and a net decrease of 16 FTEs in the Child Support and Children and Family Services sections.

Based on my review of the criminal charge data of the Office of the Prosecutor,<sup>87</sup> I noted total drug charges declined by 2,748 between 2010 and 2017. This decline was primarily the result of the decline in drug trafficking charges which declined by 2,573 between 2010 and 2017. However, despite this decline in total drug charges, the Office of the Prosecutor added FTEs during the period. Therefore, the increase in FTEs appears to be due to charge types unrelated to drugs or the Office of the Prosecutor was not operating at capacity in 2017.

In addition to the FTE and criminal charge data, I also reviewed the Office of the Prosecutor's Report to the Public for the years 2015 and 2016, the deposition of James Gutierrez, Esq. (Assistant County Prosecutor), and other relevant available information.<sup>88</sup> Based on my review of this information, I did not identify any reference which attributed the increase in FTEs or average compensation to the opioid crisis. I did, however, note the following:

- The 2014/2015 Budget Plan noted three attorneys were added to the division to work on sex crimes and crimes against children.<sup>89</sup>

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<sup>85</sup> See CUYAH\_014627783.

<sup>86</sup> See CUYAH\_001714366.

<sup>87</sup> See CUYAH\_000097414.

<sup>88</sup> The Plaintiff (Cuyahoga County) did not produce and I was not able to otherwise locate the Office of the Prosecutor's Report to the Public for the years 2006 through 2014 and 2017.

<sup>89</sup> See Cuyahoga 2014/2015 Budget Plan (CUYAH\_000008003), p. II-12.

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- The 2016/2017 Budget Plan noted the anticipated staffing increase in the division was largely attributed to sexual assault investigations and prosecutions related to the backlog of rape kits.<sup>90</sup>
- Mr. Gutierrez testified he had no knowledge as to whether the division had taken actions around the year 2015 to hire employees to work on opioid-related matters.<sup>91</sup>
- Mr. Gutierrez testified he had no knowledge as to whether the division incurred any additional expenses due to the opioid crisis.<sup>92</sup>

Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

#### **Non-Compensation Costs**

Non-compensation costs increased by \$2.5 million between 2006 and 2017. The increase in non-compensation costs was mostly attributable to increases in “Prof & Tech Services – Non-Contract,” “Space Maintenance,” and “Computerized Software.” Based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to opioids not otherwise identified in my calculation of direct costs. Additionally, I note that the McGuire Report does not identify these accounts as “affected costs.”<sup>93</sup>

#### **4. Office of the Public Defender**

The Cuyahoga County Office of the Public Defender was created in 1977 to provide legal services to indigent adults and juveniles charged with violations of the criminal code.<sup>94</sup> The Office of the Public Defender is organized into four subdivisions: (1) Felony, (2) Appellate, (3) Juvenile, (4) and Municipal.<sup>95</sup> The Felony attorneys represent indigent individuals in the county

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<sup>90</sup> See Cuyahoga 2016/2017 Budget Plan (CUYAH\_005987279), p. 18.

<sup>91</sup> See deposition of James Gutierrez, Esq. dated January 31, 2019, p. 254:10-14.

<sup>92</sup> See deposition of James Gutierrez, Esq. dated January 31, 2019, pp. 254:25-255:6.

<sup>93</sup> See McGuire Report, Appendix IV.C-3.2.

<sup>94</sup> See <http://publicdefender.cuyahogacounty.us/>.

<sup>95</sup> See <http://publicdefender.cuyahogacounty.us/en-US/Divisions.aspx>.

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who are charged with felony offenses. The Appellate attorneys file direct appeals to the Eighth District Court of Appeals (serving Cuyahoga County), the Ohio Supreme Court, and the United States Supreme Court. The Juvenile attorneys represent indigent minors in delinquency and unruliness matters, including cases in which the State desires to prosecute the child in adult court. The Municipal attorneys provide representation to all clients “determined to be indigent and facing misdemeanor charges under state statute and the municipal ordinances of the City of Cleveland for which incarceration is a possible consequence.”<sup>96</sup> The City of Cleveland reimburses the county for legal counsel to indigent clients in the Cleveland Municipal Court.<sup>97</sup>

The information I considered in my analysis of the Office of the Public Defender included, but was not limited to, the following:

- County budgets and CAFRs
- Expenditure data
- Headcount data
- Criminal charge data
- Relevant depositions and exhibits
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I did not identify any direct costs for the Office of the Public Defender between 2006 and 2017, whether related either to prescription opioids or opioids generally.

**b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the Office of the Public Defender between 2006 and 2017, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

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<sup>96</sup> See <http://publicdefender.cuyahogacounty.us/en-US/Divisions.aspx>.

<sup>97</sup> See Cuyahoga 2018/2019 Budget Plan, “Office of the Public Defender” section.



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Table V.C.4-1 is a summary of expenditures and key metrics of the Office of the Public Defender for the period 2006 through 2017.

**Table V.C.4-1: Summary of Expenditures and Key Metrics**

Office of the Public Defender (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Δ (06-17)	% Δ (06-17)	CAGR (06-17)
Salaries	\$4.4	\$4.7	\$5.9	\$6.1	\$4.9	\$4.6	\$4.7	\$4.9	\$5.3	\$6.0	\$6.1	\$6.7	\$2.2	50.2%	3.8%
Benefits	\$1.5	\$1.6	\$1.8	\$1.7	\$1.9	\$1.8	\$1.8	\$1.6	\$1.7	\$1.9	\$2.2	\$2.5	\$1.0	69.5%	4.9%
Space Maintenance	\$0.2	\$0.1	\$0.2	\$0.1	\$0.3	\$0.6	\$0.9	\$0.1	\$0.7	\$0.5	\$0.7	\$0.5	\$0.3	126.7%	7.7%
Indirect Costs	\$0.4	\$0.2	\$0.3	\$0.2	\$0.3	\$0.2	\$0.3	\$0.3	\$0.6	\$0.3	\$0.2	\$0.3	(\$0.1)	-20.7%	-2.1%
Data Processing	\$0.2	\$0.2	\$0.3	\$0.3	\$0.2	\$0.2	\$0.2	\$0.0	\$0.1	\$0.1	\$0.1	\$0.1	(\$0.1)	-68.3%	-9.9%
Other Non-Compensation Costs	\$0.8	\$0.8	\$0.7	\$0.7	\$0.6	\$0.7	\$0.4	\$0.5	\$0.5	\$0.4	\$0.6	\$0.6	(\$0.2)	-27.6%	-2.9%
<b>Total Costs</b>	<b>\$7.5</b>	<b>\$7.6</b>	<b>\$9.2</b>	<b>\$9.2</b>	<b>\$8.2</b>	<b>\$8.1</b>	<b>\$8.2</b>	<b>\$7.5</b>	<b>\$8.8</b>	<b>\$9.1</b>	<b>\$9.9</b>	<b>\$10.6</b>	<b>\$3.1</b>	<b>40.9%</b>	<b>3.2%</b>
Compensation Costs (Salaries + Benefits)	\$5.9	\$6.2	\$7.7	\$7.9	\$6.8	\$6.4	\$6.4	\$6.5	\$7.0	\$7.9	\$8.3	\$9.1	\$3.2	54.9%	4.1%
Compensation Costs as % of Total Costs	78.5%	82.2%	84.4%	85.0%	83.3%	79.6%	78.4%	87.8%	79.5%	86.9%	83.5%	86.3%			
FTEs	91	93	94	88	80	80	80	77	80	88	90	96	5	5.5%	0.5%
<b>(\$ Actual)</b>															
Average Salaries per FTE	\$48,890	\$50,451	\$62,930	\$69,743	\$61,652	\$57,767	\$58,607	\$63,952	\$65,731	\$68,304	\$67,260	\$69,587	\$20,697	42.3%	3.3%
Average Benefits per FTE	\$16,002	\$16,728	\$19,182	\$19,561	\$23,600	\$22,637	\$21,899	\$21,089	\$21,709	\$21,874	\$24,591	\$25,703	\$9,701	60.6%	4.4%
Average Compensation Costs per FTE	\$64,892	\$67,179	\$82,112	\$89,303	\$85,252	\$80,404	\$80,506	\$85,041	\$87,439	\$90,178	\$91,851	\$95,290	\$30,398	46.8%	3.6%
Total Drug Charges					13,022	12,027	11,347	10,828	9,853	7,890	8,200	10,274	(2,748)	-21.1%	-3.3%
Total Drug and Impact on Non-Drug Charges					18,748	17,608	16,681	16,210	15,403	13,537	14,116	15,266	(3,482)	-18.6%	-2.9%

*Note 1:* Expenditures and FTEs for the Cleveland Municipal Court were excluded because the county is reimbursed by the City of Cleveland for legal services provided by the Office of the Public Defender (*see* Cuyahoga 2018/2019 Budget Plan, “Office of the Public Defender” section).

*Note 2:* The FTE headcount is limited to FTEs allocated to the General Fund Operating and Public Defender HHS funds. FTEs for the Cleveland Municipal Court were excluded.

*Note 3:* Complete criminal charge data is not available prior to 2010.

*Note 4:* Absolute change, percent change, and CAGR metrics for criminal charges are calculated based on the years data was available.

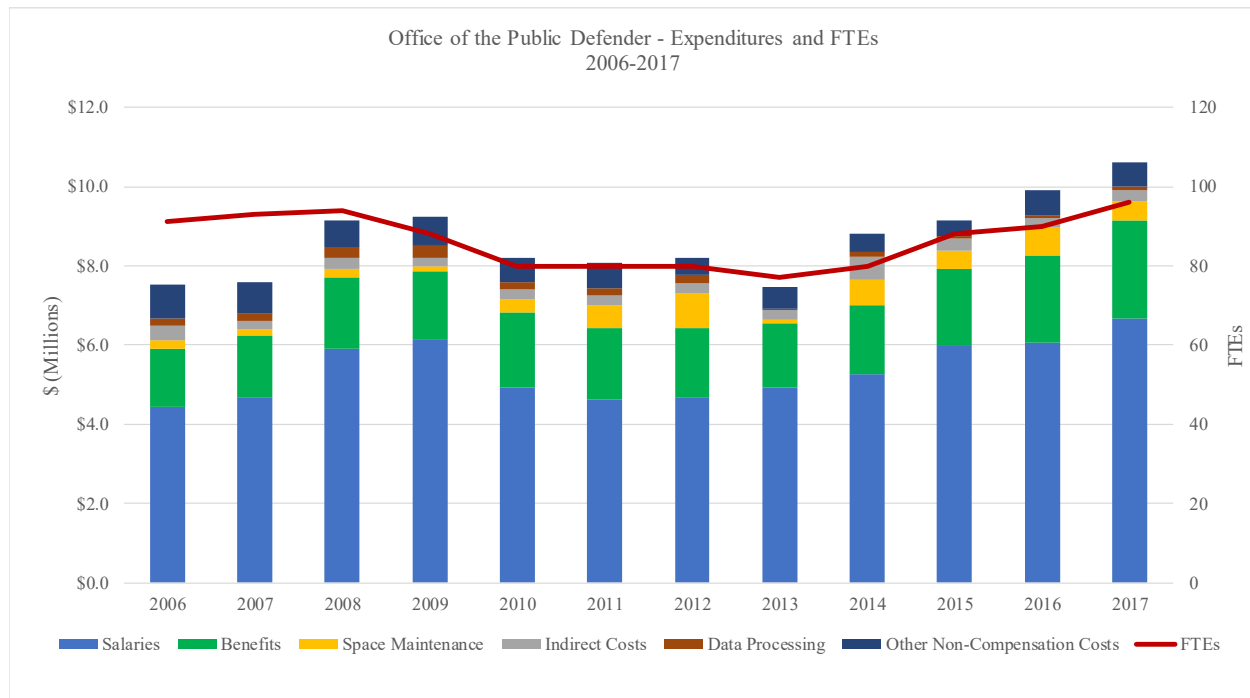
*Note 5:* Drug charges include the following charges: 0607.20, 2923.241, 2925.02, 2925.03, 2925.041, 2925.05, 2925.07, 2925.09, 2925.11, 2925.12, 2925.13, 2923.14, 2923.141, 2925.22, 2925.23, 2925.24, 2925.31, 2925.37, and 4729.51.

*Note 6:* Total impact on non-drug charges are calculated per Cutler’s methodology of applying the U.S. Department of Justice defined Drug Attribution Factor to non-drug crimes. *See* U.S. Department of Justice, National Drug Intelligence Center, “The Economic Impact of Illicit Drug Use on American Society,” 2011, Table 1.7 (<https://www.justice.gov/archive/ndic/pubs44/44731/44731p.pdf>).

*Sources:* CUYAH\_014627783; CUYAH\_001714366; Cuyahoga 2008-2016/2017 Budget Plans; Cuyahoga 2018/2019 Recommended Budget.

These expenditures and key metrics are further exhibited in the graph below:

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**Graph V.C.4-1: Expenditures and FTEs**

In my review of the expenditures and key metrics of the Office of the Public Defender, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2017, but increased overall by \$3.2 million (or 54.9%) from 2006 to 2017.
- Average compensation cost per FTE increased from \$64,892 in 2006 to \$95,290 in 2017.
- There was a net increase of 5 FTEs between 2006 and 2017 including a net decrease of 14 FTEs between 2006 and 2013 and a net increase of 19 FTEs between 2013 and 2017.
- Total drug charges and total drug and impact of non-drug charges declined by 21.1% and 18.6% from 2010 to 2017, respectively.

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**Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$3.2 million (or 54.9%) from 2006 to 2017 and represent 83.1% of total expenditures during the period.<sup>98</sup> The CAGR of average compensation per FTE was 3.6%. There was a net increase of 5 FTEs between 2006 and 2017 including a net decrease of 14 FTEs between 2006 and 2013 and a net increase of 19 FTEs later in the period between 2013 and 2017.

Although there was a net increase in FTEs, the total drug charges and total drug and impact of non-drug charges declined by 21.1% and 18.6% from 2010 to 2017, respectively.<sup>99</sup> Therefore, the increase in FTEs does not appear to be related to drug or opioid abuse. Additionally I did not identify any information to explain the reason for the increase in average compensation cost per FTE; however, I did note that the Office of the Public Defender is reimbursed for approximately 48% of its defense expenses.<sup>100,101</sup>

Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

**Non-Compensation Costs**

Non-compensation costs include “Space Maintenance,” “Indirect Costs,” “Data Processing” and other non-compensation related accounts. Non-compensation costs remained relatively flat between 2006 and 2017 except for a large decrease in 2013. This decrease was mostly attributable to a decrease in “Space Maintenance” and “Data Processing” costs. Based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to opioids. Additionally, I note that the McGuire Report does not identify any non-compensation expenditure accounts as “affected costs.”<sup>102</sup>

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<sup>98</sup> See CUYAH\_014627783.

<sup>99</sup> The complete dataset for criminal charges was not produced for the years 2006 through 2009.

<sup>100</sup> See Cuyahoga 2018/2019 Budget Plan, “Revenue Analysis” section.

<sup>101</sup> McGuire fails to include the reimbursement of defense expenses as an offset in his calculation of past damages for Office of the Prosecutor. See Section VI.B.b (“Offset to Affected Costs”) of my report for further detail.

<sup>102</sup> See McGuire Report, Appendix IV.C-4.2.

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## 5. Court of Common Pleas

The Cuyahoga County Court of Common Pleas (General Division) is responsible for the adjudication of both criminal and civil cases involving more than \$15,000.<sup>103</sup> The remaining divisions within the Court of Common Pleas are reported separately (Domestic Relations, Juvenile, and Probate).<sup>104</sup>

The court's mission is "to provide a forum for the fair, impartial and timely resolution of civil and criminal cases."<sup>105</sup> The Court of Common Pleas also has several specialty dockets that focus on specific needs, such as mental illness, substance abuse, post-traumatic stress disorder, and post-release needs including the Re-Entry Court, Drug Court, Veterans Treatment Court, Recovery Court, Mental Health and Developmental Disabilities Court, and Commercial Docket.<sup>106</sup>

The Drug Court was created in May 2009.<sup>107</sup> The mission of the County Drug Court is "to reduce recidivism among drug-dependent offenders by enhanced treatment services."<sup>108</sup> In order to be eligible for Drug Court, the defendant must have:

- A current charge of a felony drug (non-trafficking) offense of the third, fourth, or fifth degree and be eligible for probation/ community control.
- No criminal history of sexually oriented or violent behavior, three or fewer prior non-violent felony convictions, and no prior drug trafficking convictions.
- A diagnosis of substance abuse or dependency (probation violation referrals must have diagnosis of dependence) with medium to medium-high risk scores.

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<sup>103</sup> See <http://domestic.cuyahogacounty.us/en-US/Ohio-Court-System.aspx>.

<sup>104</sup> See Cuyahoga 2018/2019 Budget Plan, "Court of Common Pleas" section.

<sup>105</sup> See <https://cp.cuyahogacounty.us/>.

<sup>106</sup> See <https://cp.cuyahogacounty.us/court-resources/specialty-courts/>.

<sup>107</sup> See Court of Common Pleas 2017 Annual Report, "Drug Court/Recovery Court" section.

<sup>108</sup> See Court of Common Pleas 2017 Annual Report, "Drug Court/Recovery Court" section.

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The Drug Court has received multiple federal grants since its inception in 2009, including many related to substance abuse treatment and drug court expansion projects.<sup>109</sup>

The Recovery Court was formed in 2015 with the assistance of a federal grant.<sup>110</sup> This court focuses on alcohol, drug addiction, as well as, trauma related to mental health issues, and additionally serves the special needs of women.

The information I considered in my analysis of the Court of Common Pleas included, but was not limited to, the following:

- County budgets and CAFRs
- Court of Common Pleas annual reports
- Headcount data
- Depositions and exhibits of relevant personnel
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I identified no direct costs related to prescription opioids for Court of Common Pleas. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total direct costs of \$3,027,542 for the Court of Common Pleas.<sup>111</sup> These direct costs included the following:

- \$246,570 for “Adult Drug Court Opiate” and “Drug Court Opiate” expenditures in 2012.
- \$155,429 for “Adult Drug Court Opiate” and “Drug Court Opiate” expenditures in 2013.

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<sup>109</sup> See Cuyahoga 2009-2017 Single Audits, Court of Common Pleas 2017 Annual Report (“Significant Events in 2017” and “Specialized Dockets/Programs” sections), and CUYAH\_000018175.

<sup>110</sup> See Court of Common Pleas 2016 Annual Report, “Specialized Dockets/Programs” section, p. 9.

<sup>111</sup> See Appendix 4 – Cuyahoga County Direct Costs.

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- \$68,475 for “Adult Drug Court Opiate” and “Drug Court Opiate” expenditures in 2014.
- \$100,000 contribution to Salvation Army for a pilot program to support access to Vivitrol in 2016.
- \$316,673 for TASC Adult Drug Court expenditures in 2017.
- \$2,140,395 for the Adult Probation Substance Abuse Residential Treatment Program in 2015 through 2017.

I found no evidence which indicates these direct costs were specific to prescription opioids.

Additionally, I identified \$3,538,313 of general opioid costs for the Court of Common Pleas not paid for by the county.<sup>112</sup> These general opioid costs were paid for by Substance Abuse and Mental Health Services Administration (“SAMHSA”), the Bureau of Justice Assistance, the Supreme Court, and Community Corrections Act grants. Since these general opioid costs were not the burden of the county, they are excluded from my total direct costs.

**b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the Court of Common Pleas between 2006 and 2017, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

Table V.C.5-1 is a summary of expenditures and key metrics of the Court of Common Pleas for the period 2006 through 2017.

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<sup>112</sup> See Appendix 4 – Cuyahoga County Direct Costs.

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**Table V.C.5-1: Summary of Expenditures and Key Metrics**

Court of Common Pleas (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Δ (06-17)	% Δ (06-17)	CAGR (06-17)
Salaries	\$18.3	\$19.1	\$19.1	\$18.9	\$18.4	\$18.2	\$18.4	\$19.8	\$20.7	\$21.1	\$21.4	\$21.2	\$2.9	15.9%	1.4%
Benefits	\$6.0	\$6.8	\$7.2	\$6.2	\$6.3	\$6.3	\$7.1	\$7.8	\$8.1	\$8.6	\$9.8	\$10.2	\$4.2	71.1%	5.0%
Assigned Counsel	\$5.5	\$5.6	\$5.9	\$6.6	\$7.4	\$6.7	\$5.7	\$5.2	\$5.5	\$6.4	\$6.4	\$6.9	\$1.4	24.5%	2.0%
Space Maintenance	\$6.8	\$5.8	\$6.8	\$6.4	\$6.7	\$5.8	\$5.4	\$4.9	\$5.1	\$5.7	\$4.4	\$5.5	(\$1.3)	-18.6%	-1.9%
Contractual Services	\$2.0	\$2.7	\$2.7	\$1.2	\$1.1	\$1.2	\$1.0	\$1.3	\$1.3	\$1.4	\$2.8	\$3.8	\$1.8	87.5%	5.9%
Other Non-Compensation Costs	\$5.4	\$6.2	\$6.1	\$5.9	\$5.4	\$4.6	\$5.5	\$3.5	\$5.1	\$5.4	\$6.1	\$6.2	\$0.8	14.1%	1.2%
<b>Total Costs</b>	<b>\$44.0</b>	<b>\$46.3</b>	<b>\$47.8</b>	<b>\$45.2</b>	<b>\$45.3</b>	<b>\$42.8</b>	<b>\$43.0</b>	<b>\$42.5</b>	<b>\$45.8</b>	<b>\$48.7</b>	<b>\$50.9</b>	<b>\$53.8</b>	<b>\$9.8</b>	<b>22.2%</b>	<b>1.8%</b>
Compensation Costs (Salaries + Benefits)	\$24.3	\$25.9	\$26.3	\$25.0	\$24.7	\$24.5	\$25.4	\$27.6	\$28.8	\$29.7	\$31.2	\$31.4	\$7.2	29.4%	2.4%
Compensation Costs as % of Total Costs	55.1%	56.0%	55.0%	55.4%	54.6%	57.2%	59.1%	65.0%	62.8%	61.1%	61.3%	58.4%	3.3%		
FTEs	469	471	471	457	442	448	461	458	464	493	492	492	23	4.9%	0.4%
<b>(\$ Actual)</b>															
Average Salaries per FTE	\$39,082	\$40,501	\$40,557	\$41,287	\$41,583	\$40,679	\$39,820	\$43,149	\$44,588	\$42,761	\$43,517	\$43,185	\$4,103	10.5%	0.9%
Average Benefits per FTE	\$12,692	\$14,507	\$15,253	\$13,526	\$14,321	\$13,959	\$15,312	\$17,124	\$17,452	\$17,500	\$19,924	\$20,702	\$8,010	63.1%	4.5%
<b>Average Compensation Costs per FTE</b>	<b>\$51,775</b>	<b>\$55,008</b>	<b>\$55,810</b>	<b>\$54,814</b>	<b>\$55,904</b>	<b>\$54,639</b>	<b>\$55,132</b>	<b>\$60,272</b>	<b>\$62,039</b>	<b>\$60,261</b>	<b>\$63,441</b>	<b>\$63,887</b>	<b>\$12,113</b>	<b>23.4%</b>	<b>1.9%</b>
Criminal Cases	24,887	24,534	24,102	21,830	20,705	19,116	18,367	16,571	16,489		15,948	17,642	(7,245)	-29.1%	-3.1%
All Cases	75,773	84,555	81,866	78,760	75,057	71,981	67,392	59,139	53,414		47,429	47,824	(27,949)	-36.9%	-4.1%
% of Criminal Cases	32.8%	29.0%	29.4%	27.7%	27.6%	26.6%	27.3%	28.0%	30.9%		33.6%	36.9%	4.0%		
Criminal Cases per FTE	53	52	51	48	47	43	40	36	36		32	36	(17)	-32.4%	-3.5%
Total Adult Felony Drug Charges					12,643	11,753	11,081	10,420	9,162	7,155	7,540	9,579	(3,064)	-24.2%	-3.9%
Total Adult Felony Charges					47,736	44,835	41,153	38,459	37,081	35,718	36,322	35,377	(12,359)	-25.9%	-4.2%
% of Adult Felony Drug Charges					26.5%	26.2%	26.9%	27.1%	24.7%	20.0%	20.8%	27.1%	0.6%		

*Note 1:* “Assigned Counsel” represents the sum of “Assigned Counsel-Court of Common Pleas,” “Assigned Counsel-Court of Appeals,” “Assg. Cnsl/Psych. Evalt.,” and “Assigned Counsel-Juvenile Court” expenditures.

*Note 2:* “Space Maintenance” and “Contract Services” costs were excluded in McGuire’s “affected costs.” See McGuire Report, Appendix IV.C-5.2.

*Note 3:* Criminal cases data is not available for 2015. Complete criminal charge data is not available prior to 2010.

*Note 4:* Absolute change, percent change, and CAGR metrics for criminal charges are calculated based on the years data was available.

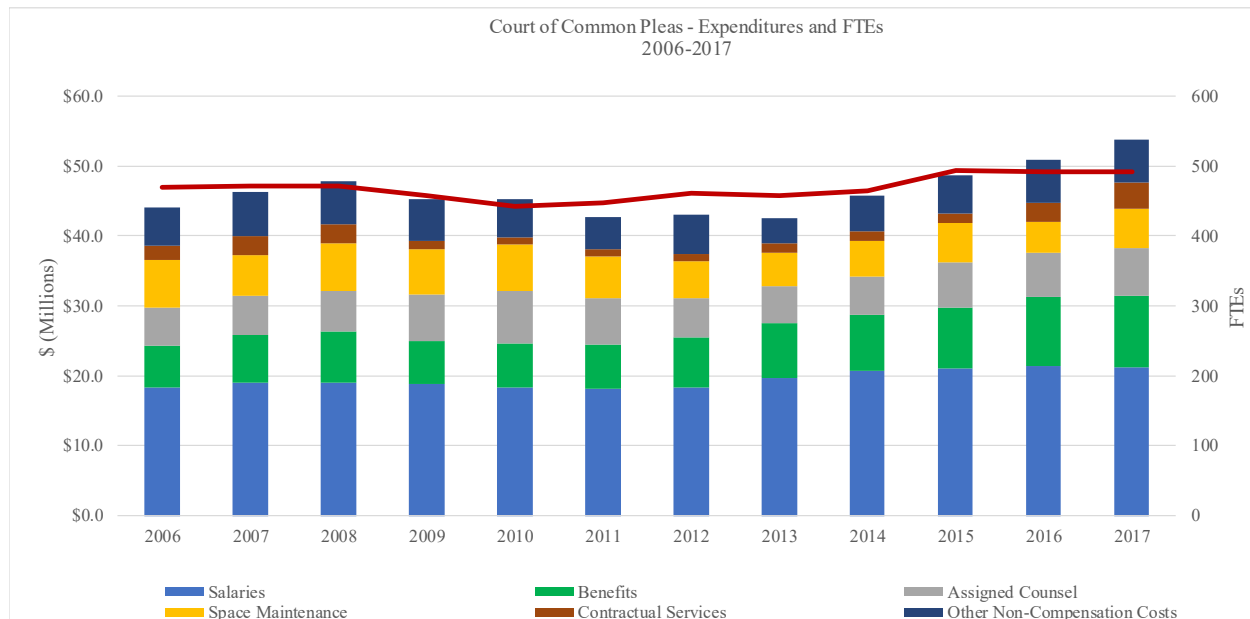
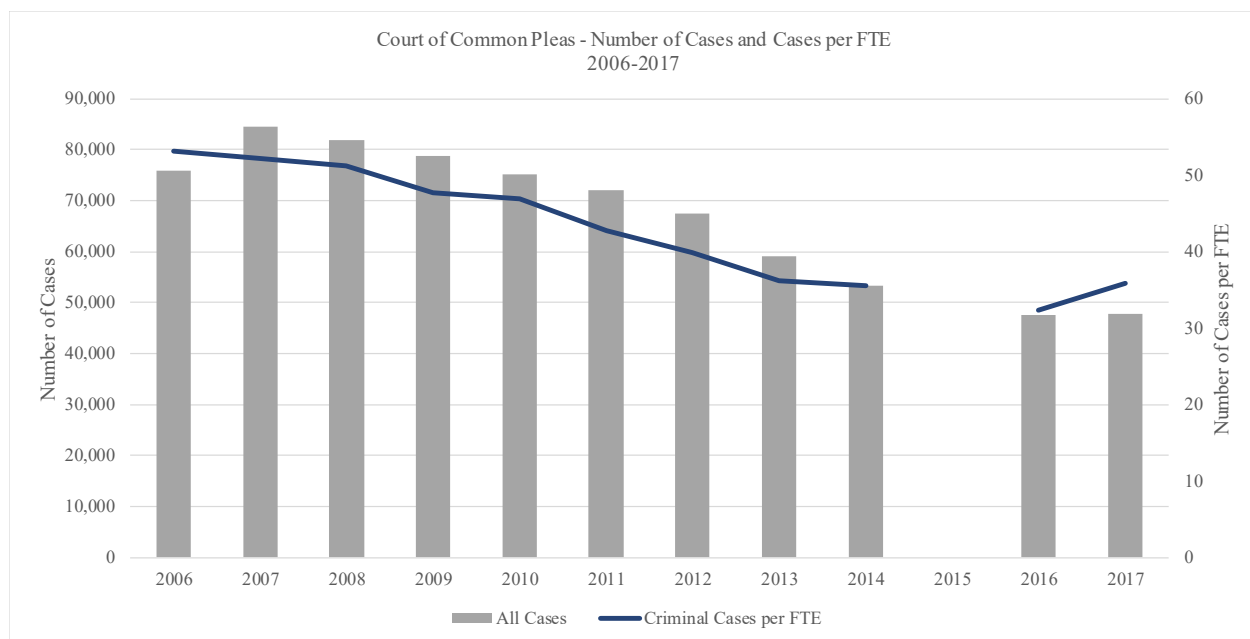
*Note 5:* Misdemeanor charges for adult offenders was removed from the criminal charge data to reflect the cases represented in the Court of Common Pleas.

*Note 6:* Drug charges include the following charges: 2923.241, 2925.02, 2925.03, 2925.041, 2925.05, 2925.07, 2925.09, 2925.11, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.37, and 4729.51.

*Sources:* CUYAH\_014627783; CUYAH\_001714366; CUYAH\_000097414; Court of Common Pleas 2006-2017 Annual Reports.

These expenditures and key metrics are further exhibited in the graphs below:

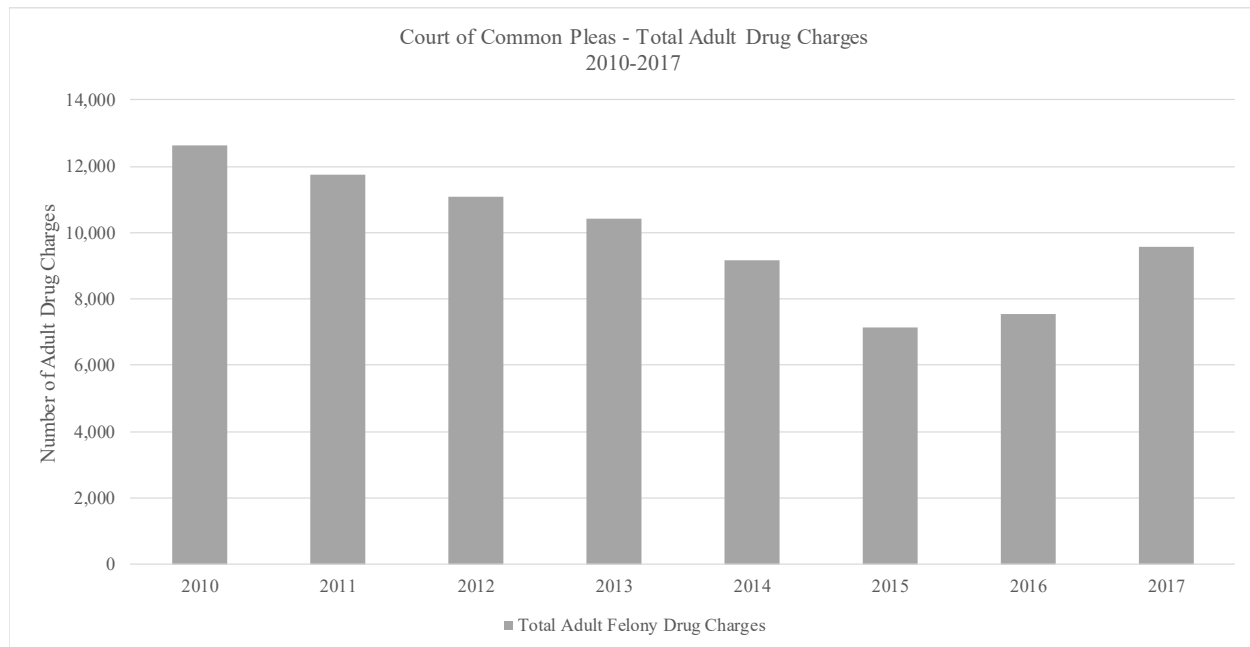
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**Graph V.C.5-1: Expenditures and FTEs****Graph V.C.5-2: Cases**

*Note:* Criminal cases data not available for 2015.



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**Graph V.C.5-3: Drug Charges**

In my review of the expenditures and key metrics of the Court of Common Pleas, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2017, but increased overall by \$7.2 million (or 29.4%).
- The CAGR of average compensation per FTE was 1.9%, which is slightly below the average inflation rate of state and local government employees' compensation of 2.4%.<sup>113</sup>
- Assigned Counsel costs increased by \$1.4 million (or 24.5%) from 2006 to 2017.
- There was a net increase of 23 FTEs (or 4.9%) between 2006 and 2017.
- Criminal cases per FTE decreased by 17 cases (or 32.4%) from 2006 to 2017.

<sup>113</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2017 – Series I.D. CIU3010000000000Q (Not Seasonally Adjusted).

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**Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$7.2 million (or 29.4%) from 2006 to 2017 and represent 58.4% of total expenditures during the period.<sup>114</sup>

Compensation costs are “inclusive of the 34 elected judges who are paid by the State of Ohio.”<sup>115</sup> Based on the available information, I do not have insight into the actual amount reimbursed by the State.

There was a net increase of 23 FTEs between 2006 and 2017. The headcount fluctuated over this period, including a net decrease of 11 FTEs between 2006 and 2013 and a net increase of 34 FTEs between 2013 and 2017.

Based on my review of the headcount data,<sup>116</sup> the Court of Common Pleas is organized into five groups: (1) Common Pleas - Judicial, (2) Magistrates, (3) Court Services, (4) Common Pleas – Probation, and (5) Common Pleas - Treatment Alternatives to Street Crime (“TASC”) Unit. Common Pleas – Probation had a net increase of 11 FTEs from 2006 to 2017. Common Pleas – Judicial had a net increase of 7 FTEs from 2006 to 2017. Court Services had a net decrease of 23 FTEs from 2006 to 2017. The Magistrates category had a net decrease of 3 FTEs from 2006 to 2017. The Common Pleas - TASC Unit had a net increase of 31 FTEs from 2006 to 2017.

The TASC Unit attempts to “link drug-involved offenders to therapeutic interventions of drug treatment programs.”<sup>117</sup> The unit provides assessment and case management services to four existing specialty dockets: (1) Drug Court, (2) Recovery Court, (3) Veteran’s Treatment Court, and (4) Greater Cleveland Drug Court.<sup>118</sup> The TASC Unit appears to be significantly

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<sup>114</sup> See CUYAH\_014627783.

<sup>115</sup> See Court of Common Pleas 2017 Annual Report, “Fiscal Report” section.

<sup>116</sup> See CUYAH\_001714366.

<sup>117</sup> See Court of Common Pleas 2017 Annual Report, “TASC Specialized Docket” section.

<sup>118</sup> See Court of Common Pleas 2017 Annual Report, “TASC Specialized Docket” section.

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funded by block grants.<sup>119</sup> Additionally, there were no budget increases related to the TASC Unit identified in Cuyahoga's listing of county resolutions related to opiate addictions.<sup>120</sup>

The total number of cases seen by the Court of Common Pleas decreased by 27,949 from 2006 to 2017 and the total number of criminal cases decreased by 7,245 over the same period. To gain insight into the types of criminal cases prosecuted by the county in the Court of Common Pleas, I referred to the Office of the Prosecutor's adult criminal charge data. I noted that the total number of adult felony drug charges declined by 3,064 between 2010 and 2017 due to a decline in adult felony drug trafficking charges.<sup>121</sup> However, despite this decline in total drug charges and cases, the Court of Common Pleas added FTEs during the period. Therefore, although there was an increase in FTEs in the Court of Common Pleas, that increase does not appear to be related to drug crimes, nor did I find any evidence otherwise that the increase related to drugs or opioids. Further, both the expansion of the Drug Court and the start of the Recovery Court are largely funded by grants.

Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

### **Assigned Counsel Costs**

Assigned Counsel costs increased by \$1.4 million (or 24.5%) from 2006 to 2017 and represent 13.3% of total expenditures during the period.<sup>122</sup> An assigned counsel is a court-appointed attorney who represents an indigent individual.<sup>123</sup> The county has not provided any insight into the types of cases that were related to these attorney fees. Therefore, based on my review of the available information, I determined there were no incremental increases in

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<sup>119</sup> See, for example, Cuyahoga 2017 Single Audit, p. 2.

<sup>120</sup> See CUYAH\_000018175.

<sup>121</sup> See CUYAH\_000097414.

<sup>122</sup> See CUYAH\_014627783.

<sup>123</sup> See <https://definitions.uslegal.com/a/assigned-counsel/>.

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Assigned Counsel costs related to prescription opioids or opioids generally. Additionally, I note that Assigned Counsel costs are partially reimbursed by the state.<sup>124</sup>

## **6. Juvenile Court**

The Cuyahoga County Juvenile Court is responsible for rehabilitating juveniles, supporting families, and promoting public safety. The major functions of the Juvenile Court include:<sup>125</sup>

- Court Services: Responsible for all legal and clerking functions, information services, and other activities necessary to ensure that court hearing processes are executed in a timely, economical, and all-inclusive manner.
- Probation Services: Assigns and supervises court-ordered youth to participate in special services directed through probation staff.
- Detention Services: Administers the care of all juveniles in the secure detention continuum, including the Detention Center, Shelter Care, and Home Detention.

The Juvenile Court also provides specialized dockets to focus on the needs of the populations served. These specialized dockets include the Juvenile Drug Court, Family Drug Court, Mental Health Court, and Re-entry court.<sup>126</sup>

The information I considered in my analysis of the Juvenile Court included, but was not limited to, the following:

- County budgets and CAFRs
- Juvenile Court annual reports
- Budget request memoranda
- Headcount data
- Publicly available information

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<sup>124</sup> See Court of Common Pleas 2017 Annual Report, “Fiscal Report” section.

<sup>125</sup> See Cuyahoga 2018/2019 Budget Plan, “Juvenile Court” section.

<sup>126</sup> See Juvenile Court 2017 Annual Report, p. 20.

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**a) Identification of Direct Costs**

Based on my review of the available information, I identified no direct costs related to prescription opioids for the Juvenile Court. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total direct costs of \$317,793 for the Juvenile Court.<sup>127</sup> These direct costs related to the hiring of three additional magistrates to hear the private custody dockets for children placement foster care and opioid abuse in 2017. I found no evidence which indicates the hiring of the additional magistrates was specific to cases related to prescription opioids.

**b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I identified no incremental costs specifically relating to prescription opioids for the Juvenile Court. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total incremental costs of \$122,760 for the Juvenile Court. My analysis of incremental costs is presented below.

Table V.C.6-1 is a summary of expenditures and key metrics of the Juvenile Court for the period 2006 through 2017.

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<sup>127</sup> See Appendix 4 – Cuyahoga County Direct Costs.

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**Table V.C.6-1: Summary of Expenditures and Key Metrics**

Juvenile Court (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	A (06-17)	%A (06-17)	CAGR (06-17)
Salaries	\$20.2	\$21.2	\$22.1	\$21.8	\$18.6	\$18.2	\$19.1	\$20.0	\$21.7	\$22.7	\$22.1	\$26.6	\$6.3	31.2%	2.5%
Benefits	\$7.7	\$8.0	\$9.1	\$8.1	\$10.1	\$9.4	\$9.0	\$8.5	\$8.7	\$9.6	\$9.7	\$11.0	\$3.3	43.0%	3.3%
Board&Care-Justice	\$1.7	\$2.9	\$2.8	\$3.4	\$4.9	\$4.9	\$4.5	\$3.5	\$5.2	\$5.7	\$4.7	\$3.5	\$1.8	110.2%	7.0%
Guardian ad Litem Fees	\$1.1	\$1.5	\$1.5	\$1.6	\$1.7	\$1.7	\$1.7	\$1.6	\$1.5	\$1.8	\$1.6	\$1.6	\$0.4	39.2%	3.1%
Shelter Care-Juvenile Court	\$1.3	\$1.4	\$1.4	\$1.2	\$1.6	\$1.5	\$1.8	\$1.3	\$1.8	\$0.6	\$1.8	\$1.6	\$0.3	22.5%	1.9%
Assigned Counsel	\$1.2	\$1.4	\$1.4	\$1.5	\$1.5	\$1.6	\$1.5	\$1.4	\$1.6	\$1.5	\$1.4	\$1.4	\$0.2	15.4%	1.3%
Other Non-Compensation Costs	\$19.3	\$19.0	\$18.1	\$15.8	\$15.5	\$12.3	\$19.6	\$10.0	\$12.7	\$12.4	\$14.2	\$17.7	(\$1.6)	-8.4%	-0.8%
Total Costs	\$52.6	\$55.4	\$56.4	\$53.4	\$53.7	\$49.7	\$57.2	\$46.3	\$53.2	\$54.4	\$55.4	\$63.3	\$10.6	20.5%	1.7%
Compensation Costs (Salaries + Benefits)	\$27.9	\$29.3	\$31.2	\$29.9	\$28.6	\$27.6	\$28.1	\$28.5	\$30.3	\$32.4	\$31.7	\$37.6	\$9.6	34.5%	2.7%
Compensation Costs as % of Total Costs	53.1%	52.8%	55.2%	56.0%	53.3%	55.6%	49.2%	61.5%	57.0%	59.5%	57.3%	59.3%	6.2%		
FTEs	524	543	547	522	482	468	485	478	505	510	508	513	(11)	-2.1%	-0.2%
<b>(\$ Actual)</b>															
Average Salaries per FTE	\$38,625	\$39,106	\$40,396	\$41,690	\$38,499	\$38,991	\$39,408	\$41,773	\$42,910	\$44,596	\$43,421	\$51,782	\$13,157	34.1%	2.7%
Average Benefits per FTE	\$14,664	\$14,806	\$16,573	\$15,544	\$20,866	\$20,062	\$18,616	\$17,762	\$17,151	\$18,861	\$19,024	\$21,419	\$6,754	46.1%	3.5%
Average Compensation Costs per FTE	\$53,290	\$53,912	\$56,969	\$57,235	\$59,365	\$59,054	\$58,025	\$59,535	\$60,061	\$63,458	\$62,445	\$73,201	\$19,911	37.4%	2.9%
Shelter Care Average Daily Population	54	71	55	53	44	42	37	33	36	34	30	25	(29)	-53.7%	-6.8%
Total Cases	27,137	25,829	24,978	25,236	24,180	23,138	21,288	18,671	15,857	13,934	16,252	16,086	(11,051)	-40.7%	-4.6%
Abuse, Dependency, Neglect Cases	1,898	1,443	1,421	1,111	1,663	1,698	1,293	1,212	1,623	1,609	2,186	2,944	1,046	55.1%	4.1%
Court Services FTEs	228	236	235	219	218	195	191	194	204	202	192	194	(34)	-14.9%	-1.5%
Cases per Court Services FTE	119	109	106	115	111	119	111	96	78	69	85	83	(36)	-30.3%	-3.2%

*Note 1:* Assigned Counsel costs include “Assigned Counsel – Juvenile Court,” “Assigned Counsel – Common Pleas,” and “Assigned Counsel – Court of Appeals.”

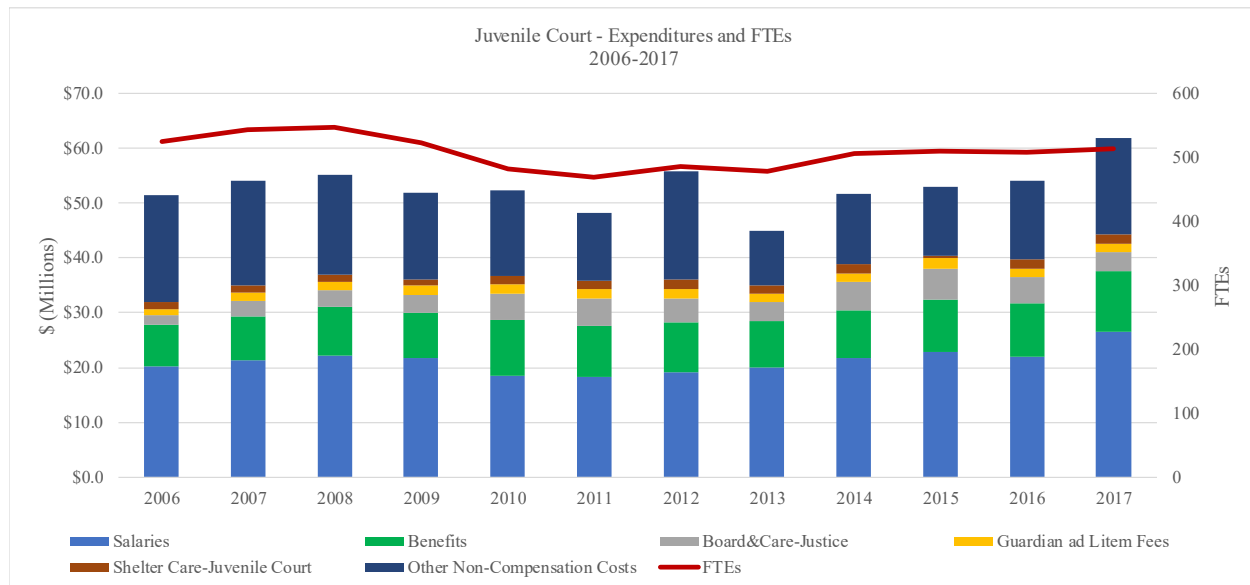
*Note 2:* Total Cases include both official and bypassed cases from the following categories: (1) Delinquency and Unruliness, (2) Traffic (3) Abuse, Dependency, Neglect, (4) Adult, (5) Custody, (6) Parent-Child Relationship, (7) Support, and (8) Family.

*Note 3:* Court Services FTEs include Judicial employees, Court Services employees funded by the General Fund, Child Support employees and Administrative Title IV-E employees.

*Sources:* CUYAH\_014627783; CUYAH\_001714366; Juvenile Court 2006-2017 Annual Reports.

These expenditures and key metrics are further exhibited in the graph below:

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**Graph V.C.6-1: Expenditures and FTEs**

In my review of the expenditures and key metrics of the Juvenile Court, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2017, but increased overall by \$9.6 million (or 34.5%). \$5.8 million of the increase occurred in 2017 as a result of the implementation of a salary study.
- The CAGR of average compensation per FTE was only 2.9%, which is slightly above the average inflation rate of state and local government employees' compensation of 2.4%.<sup>128</sup>
- Total FTEs fluctuated between 2006 and 2017, but decreased overall by 11 FTEs. Additionally, Court Services FTEs decreased by 34 between 2006 and 2017.
- Board & Care-Justice (referred to as "Board & Care") costs increased by \$1.8 million (or 110.2%) from 2006 to 2017.
- Guardian ad Litem costs, Assigned Counsel costs, and Shelter Care-Juvenile Court (referred to as "Shelter Care") costs increased by \$0.4 million (or 39.2%), \$0.2 million (or 15.4%), and \$0.3 million (or 22.5%) from 2006 to 2017, respectively.

<sup>128</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2017 – Series I.D. CIU301000000000Q (Not Seasonally Adjusted).

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**Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$9.6 million (or 34.5%) from 2006 to 2017 and represent 55.8% of total expenditures during the period.<sup>129</sup> \$5.8 million of this increase occurred in 2017. The increase in compensation costs in 2017 is largely attributable to the implementation of the salary study and compensation plan recommendation by the National Center for State Courts for the majority of staff.<sup>130</sup>

There was a net decrease of 11 FTEs from 2006 to 2017. Of this net decrease, Court Services had a net decrease of 34 FTEs (further, the average number of cases per Court Services FTE declined by 30.3% from 2006 to 2017). Despite this decrease, I noted the hiring of three additional magistrates to hear the private custody dockets for children placement foster care and opioid abuse in 2017.<sup>131</sup> I have included an estimate of these additional magistrates in my calculation of direct costs.

I am not able to determine the specific change in headcounts for Probation Services and Detention Services; however, it appears there was a net increase in FTEs in at least one of these functions. I noted an increase in FTEs in Detention Centers in 2012, but this appeared to have been “due to significant overtime in the detention center due to defects in the facility which required additional detention officers.”<sup>132</sup> Additionally, I noted that Cuyahoga County Council authorized funding for the hiring of 12 additional detention officers to reduce increased violence caused by Senate Bill 337.<sup>133</sup> I did not identify any specific references to increases in FTEs in Probation Services.

Based on the above and the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally, in excess of the three additional magistrates.

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<sup>129</sup> See CUYAH\_014627783.

<sup>130</sup> See Juvenile Court 2017 Annual Report, p.26.

<sup>131</sup> See Juvenile Court 2017 Annual Report, p. 7.

<sup>132</sup> See Cuyahoga 2014/2015 Executive’s Recommended Budget, p. IV-15.

<sup>133</sup> Senate Bill 337 changed the prior law and required Juvenile Detention to house 18-20 year-olds that previously were housed in the county jail. See Juvenile Court 2014 Annual Report, pp. 4-5.



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**Board & Care Costs**

Board & Care costs at the beginning of the period were small, but increased overall by \$1.8 million from 2006 to 2017 and represent 7.3% of total expenditures during the period.<sup>134</sup> Based on available information, I am unable to determine the purpose of Board & Care costs including whether these costs are related to opioids. In fact, I only identified one reference to Board & Care costs in the available information; however, it provides no further description of the purpose of the costs other than that it is for contractual services.<sup>135</sup> As such, I am unable to determine if the Juvenile Court experienced any incremental increases in Board & Care costs related to prescription opioids or opioids generally. Additionally, I noted Board & Care costs are partially reimbursed from Title IV-E funding.<sup>136</sup>

**Guardian ad Litem Fees**

Guardian ad Litem Fees represent fees paid to an individual appointed by the court to represent the best interest of a child when parents cannot agree on an allocation of parental rights and responsibilities.<sup>137</sup> Guardian ad Litem may be retained in abuse, dependency, and neglect cases where an adult stands accused of abusing or neglecting a minor.

Additionally, Guardian ad Litem Fees are partially reimbursed by the State Public Defender's office.<sup>138</sup> Based on the annual reimbursement rates identified in the Cuyahoga County Budget Plans, the county would have only funded \$12.1 million out of \$18.9 million in Guardian ad Litem Fees between 2006 and 2017. Table V.C.6-2 is a calculation of Guardian ad Litem Fees funded by the county.

**Table V.C.6-2: Calculation of Guardian ad Litem Fees Funded by Cuyahoga County**

Juvenile Court	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Guardian ad Litem Expenditures	\$1,134,782	\$1,480,817	\$1,519,234	\$1,649,933	\$1,685,490	\$1,718,974	\$1,660,675	\$1,564,430	\$1,540,323	\$1,782,192	\$1,577,585	\$1,579,413	\$18,893,848
% County Funded	72.0%	73.5%	75.0%	70.0%	65.0%	65.0%	65.0%	62.5%	60.0%	54.7%	52.7%	56.3%	
County-Funded Guardian and Litem Fees	\$817,043	\$1,088,400	\$1,139,426	\$1,154,953	\$1,095,569	\$1,117,333	\$1,079,439	\$977,769	\$924,194	\$974,265	\$830,861	\$889,736	\$12,088,987

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<sup>134</sup> See CUYAH\_014627783.

<sup>135</sup> See Cuyahoga 2014/2015 Executive's Recommended Budget, p. IV-15.

<sup>136</sup> See CUYAH\_001714459, "Title IV-E Juvenile Court" fund.

<sup>137</sup> See <http://domestic.cuyahogacounty.us/en-US/Guardian-ad-Litem.aspx>.

<sup>138</sup> See Cuyahoga 2016/2017 Budget Plan, p. 146.

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*Source:* CUYAH\_014627783; State of Ohio Public Defender - Reimbursement History for Purposes of Calculating Recoupment (<https://opd.ohio.gov/Portals/0/PDF/Reimbursement/Reimbursement-Percent-History.pdf?ver=2019-02-21-093626-180>).

The county-funded Guardian ad Litem Fees increased from \$0.8 million to \$1.1 million from 2006 to 2007 and were flat through 2017. Total cases declined by 11,051 from 2006 to 2017; and abuse, dependency and neglect cases declined by 455 cases from 2006 to 2007. The increase in Guardian ad Litem Fees from 2006 to 2008 therefore were not related to abuse, dependency and neglect cases. Based on review and analysis of the available information, I determined there were no incremental increases in Guardian ad Litem Fees related to the increase in abuse, dependency, and neglect cases. Even if those fees did relate to the recent increase in abuse, dependency, and neglect cases, I am aware of no evidence that those cases are related to prescription opioids or opioids generally.

### **Shelter Care Costs**

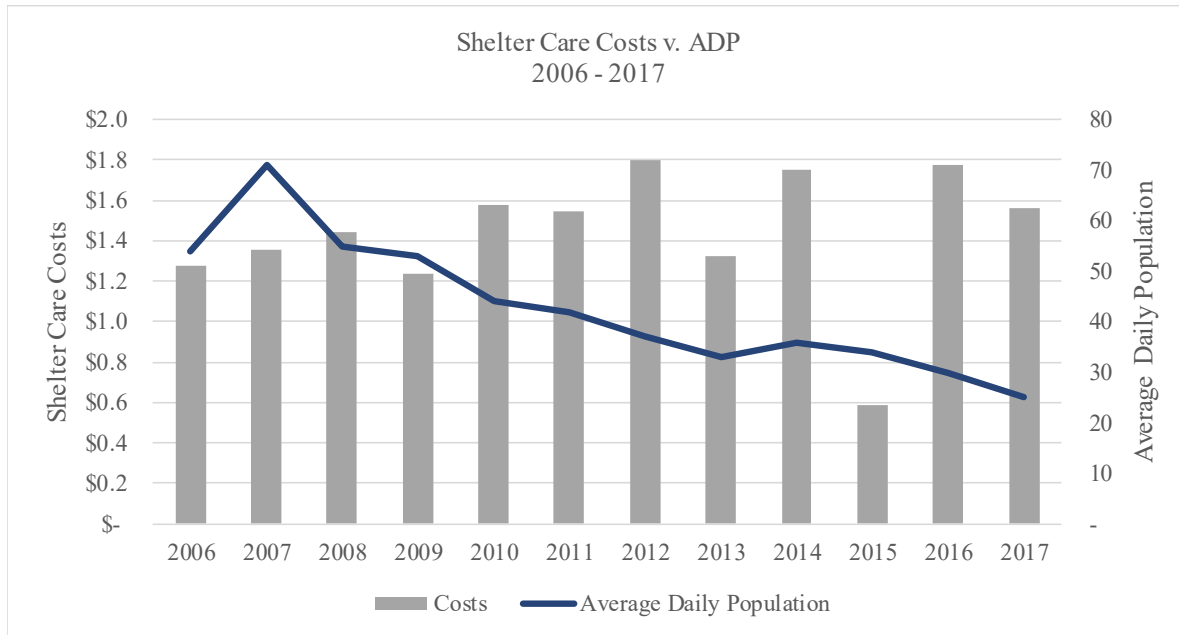
Shelter Care costs fluctuated between 2006 and 2017, but increased overall by \$0.3 million. Shelter Care can be used as (1) an alternative to secure detention where youth stay in shelter care instead of the detention center until their next court appearance or residential placement<sup>139</sup> or (2) as pre-dispositional temporary custody in abuse, dependency, and neglect cases.<sup>140</sup> Graph V.C.6-2 is a comparison of the Shelter Care Average Daily Population and Shelter Care costs.

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<sup>139</sup> See <http://juvenile.cuyahogacounty.us/en-US/Shelter-Care.aspx>.

<sup>140</sup> See [http://juvenile.cuyahogacounty.us/pdf\\_juvenile/en-US/LocalRules/Rule%2029.pdf](http://juvenile.cuyahogacounty.us/pdf_juvenile/en-US/LocalRules/Rule%2029.pdf)

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**Graph V.C.6-2: Comparison of Shelter Care ADP and Costs**

*Sources: Juvenile Court 2006-2017 Annual Reports.*

As depicted in the graph above, although Shelter Care costs increase overall between 2006 and 2017, the Shelter Care ADP declines throughout the period to a low of 25 juveniles in 2017 indicating that costs increased due to an increase in the cost per juvenile in Shelter Care, and not due to increases in the number of children admitted into Shelter Care. Therefore, I determined there were no incremental increases in Shelter Care costs that were incurred because of an increase in juveniles in Shelter Care custody related to prescription opioids or opioids generally.

### **Assigned Counsel Costs**

Assigned Counsel costs fluctuated between 2006 and 2017, but increased overall by \$0.2 million. Assigned Counsel costs represent indigent defense fees paid by the Juvenile Court. Based on my review of the available information, indigent defense fees are not tracked by case type and could relate to any of the cases seen by the Juvenile Court. However, in an effort to be conservative, I calculated the incremental increase in attorney fees assuming these could be related to an increase in abuse, dependency, and neglect cases, and that those cases could potentially be related to opioids. Similar to Guardian ad Litem Fees, these expenditures are

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partially reimbursed by the State Public Defender's office. Therefore, each yearly incremental increase is reduced by the percentage (or estimated percentage) reimbursed by the State for that year.

Table V.C.6-3 is my calculation of incremental costs for Assigned Counsel Costs for the Juvenile Court.

**Table V.C.6-3: Incremental Assigned Counsel Costs**

<b>Juvenile Court</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>Total</b>
Assigned Counsel Expenditures	\$1,431,377	\$1,550,876	\$1,522,379	\$1,418,161	\$1,433,707	\$7,356,500
Incremental Costs		119,499	91,002	0	2,330	212,831
% County Funded		60.0%	54.7%	52.7%	56.3%	
<b>County-Funded Incremental Cost</b>		<b>\$71,699</b>	<b>\$49,748</b>	<b>\$0</b>	<b>\$1,313</b>	<b>\$122,760</b>

*Source:* CUYAH\_014627783; State of Ohio Public Defender - Reimbursement History for Purposes of Calculating Recoupment (<https://opd.ohio.gov/Portals/0/PDF/Reimbursement/Reimbursement-Percent-History.pdf?ver=2019-02-21-093626-180>).

My calculation of incremental costs is based on a baseline period of 2013 since abuse, dependency, and neglect cases heard in the Juvenile Court originate from Children and Family Services and the number of children in placement began to increase in 2014.<sup>141</sup> In total, I calculated an incremental increase of \$122,760 in the county-funded portion of Assigned Counsel costs. My calculation is conservative considering not all abuse, dependency, and neglect cases relate to parental opioid abuse. Even the county's own unsupported State Automated Child Welfare System ("SACWIS") data attributes only 17% of child removals to a drug related removal reason in 2017, and prescription opioids or opioids generally would represent even a smaller percentage.<sup>142</sup>

### **Other Non-Compensation Costs**

Other non-compensation costs include "Space Maintenance," "Contractual Services," "Transfer Out," and other overhead related accounts. Other non-compensation costs decreased by \$1.6 million (or 8.4%) between 2006 and 2017; however, there were significant increases in non-compensation costs in 2012 (increase of \$7.4 million) and 2017 (increase of \$3.6 million).

<sup>141</sup> See Children and Family Services 2013-2017 Statistical Reports.

<sup>142</sup> See CUYAH\_002442182 (SACWIS removals based on the removal reasons "Drug Abuse of parent," "Prenatal Drug Exposure," "Drug Abuse of child," and "Child affected by substance use").

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The increase in 2012 is largely due to an increase in “Space Maintenance” costs related to the opening of a new Juvenile Justice Center for Detention Services.<sup>143</sup> The increase in 2017 is largely related to a one-time Title IV-E “Transfer Out” of \$2.4 million. Therefore, based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally. Additionally, I note that the McGuire Report does not identify these accounts as “affected costs.”<sup>144</sup>

## **7. Sheriff’s Department – Law Enforcement Division**

The Cuyahoga County Sheriff’s Department oversees law enforcement, court security, the service of papers, jail operations, and the extradition and transportation of prisoners.<sup>145</sup> The Sheriff’s Department also maintains full police jurisdiction of all municipalities, villages, and townships within the county.<sup>146</sup> The Sheriff’s Department consists of four main divisions: (1) Law Enforcement, (2) Jail, (3) Protective Services, and (4) Operations.<sup>147</sup> The county has identified Law Enforcement and Jail as the only two divisions of the Sheriff’s Office that have been impacted by the opioid crisis.<sup>148</sup> This section of my report addresses the Law Enforcement Division. The next section of my report addresses the Jail Division.

The Law Enforcement Division consists of the Detective Bureau, Narcotics Taskforce, and various patrol, community policing, and criminal records units.<sup>149</sup> Many of the units within the Law Enforcement Division have developed partnerships with federal, state, and local law enforcement partners.<sup>150</sup> These units include the Detective Bureau and Narcotics Taskforce.<sup>151</sup>

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<sup>143</sup> See Cuyahoga 2012/2013 Recommended Budget, p. IV-7.

<sup>144</sup> See McGuire Report, Appendix IV.C-2.3.

<sup>145</sup> See <https://sheriff.cuyahogacounty.us/en-US/home.aspx>.

<sup>146</sup> See <https://sheriff.cuyahogacounty.us/en-US/home.aspx>.

<sup>147</sup> See 30(b)(6) deposition of Maggie Keenan dated January 18, 2018, pp. 46:25-47:14.

<sup>148</sup> See 30(b)(6) deposition of Maggie Keenan dated January 18, 2018, pp. 47:17-48:10.

<sup>149</sup> See <https://sheriff.cuyahogacounty.us/en-US/home.aspx>.

<sup>150</sup> See <https://sheriff.cuyahogacounty.us/en-US/Law-Enforcement.aspx>.

<sup>151</sup> The Detectives Bureau unit is responsible for investigations and extraditions (see [https://sheriff.cuyahogacounty.us/pdf\\_sheriff/en-US/AnnualReports/2017AnnualReport.pdf](https://sheriff.cuyahogacounty.us/pdf_sheriff/en-US/AnnualReports/2017AnnualReport.pdf)). The Narcotics unit is responsible for investigations into narcotics trafficking and organizations (see <https://sheriff.cuyahogacounty.us/en-US/narcotics.aspx>).

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In addition to the Law Enforcement Division, my analysis also considers the Impact Unit, which was formed as part of a Cuyahoga County community policing initiative. The Impact Unit is not part of any specific division of the Sheriff's Department; it is accounted for separately.

The information I considered in my analysis of the Law Enforcement Division and the Impact Unit included, but was not limited to, the following:

- County budgets and CAFRs
- Sheriff Department annual reports
- Expenditure data
- Headcount data
- Criminal charge data
- Relevant depositions and exhibits
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I identified total direct costs of \$35,191 for the Law Enforcement Division and the Impact Unit.<sup>152</sup> These direct costs related to cash disbursements for prescription drug drop boxes in 2015. The Cuyahoga County Rx Drug Drop Box Program was created in 2013 to provide an environmentally friendly way for citizens to dispose of unwanted or unused prescription drugs and reduce the potential for these drugs to be abused.<sup>153</sup> Therefore, these identified direct costs are all specific to prescription opioids.

**b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the Law Enforcement Division and the Impact Unit between 2011 and 2017, whether related either to prescription opioids or opioids generally. From 2006 to 2010, the Law Enforcement

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<sup>152</sup> See Appendix 4 – Cuyahoga County Direct Costs.

<sup>153</sup> Sheriff's Department 2017 Annual Report, p. 38 and "Rx Drug Drop Box Program" section on the Cuyahoga County website (<https://sheriff.cuyahogacounty.us/en-US/RxDrugDropBoxProgram.aspx>).

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Division was combined with the County Jail. My analysis of incremental costs is presented below.

Table V.C.7-1 is a summary of expenditures and key metrics of the Law Enforcement Division and the Impact Unit for the period 2006 through 2017.

**Table V.C.7-1: Summary of Expenditures and Key Metrics**

Law Enforcement and Impact Unit (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Δ (11-17)	%Δ (11-17)	CAGR (11-17)
Salaries						\$9.7	\$10.2	\$10.9	\$11.4	\$13.0	\$12.4	\$12.8	\$3.1	32.1%	4.8%
Benefits						\$3.8	\$4.1	\$4.3	\$4.4	\$5.1	\$4.9	\$5.2	\$1.3	34.9%	5.1%
County Garage - Vehicles						\$0.1	\$0.6	\$0.8	\$0.6	\$0.6	\$0.7	\$0.7	\$0.6	582.5%	37.7%
Contractual Services						\$0.1	\$0.0	\$0.0	\$0.1	\$0.0	\$0.1	\$0.5	\$0.5	988.2%	48.9%
Other Expenses						\$0.0	\$0.1	\$0.1	\$0.2	\$0.1	\$0.1	\$0.2	\$0.2	4088.3%	86.4%
Other Non-Compensation Costs						\$0.2	\$1.4	\$0.6	\$0.6	\$0.3	\$0.2	\$0.3	\$0.1	76.4%	9.9%
<b>Total Costs - Law Enforcement and Impact Unit Costs</b>						<b>\$13.8</b>	<b>\$16.4</b>	<b>\$16.7</b>	<b>\$17.1</b>	<b>\$19.2</b>	<b>\$18.5</b>	<b>\$19.7</b>	<b>\$5.9</b>	<b>42.4%</b>	<b>6.1%</b>
Compensation Costs (Salaries + Benefits)						\$13.5	\$14.3	\$15.2	\$15.7	\$18.1	\$17.3	\$17.9	\$4.4	32.9%	4.9%
Compensation Costs as % of Total Expenditures						97.5%	87.5%	91.1%	91.6%	94.2%	93.5%	91.0%	-6.5%		
Law Enforcement and Impact Unit FTEs (\$ Actual)						170	171	181	184	207	199	197	27	15.9%	2.5%
Average Salaries per FTE						\$56,861	\$59,457	\$59,977	\$61,703	\$62,652	\$62,198	\$64,841	\$7,980	14.0%	2.2%
Average Benefits per FTE						\$22,471	\$24,237	\$23,885	\$23,650	\$24,782	\$24,532	\$26,153	\$3,682	16.4%	2.6%
Average Compensation Costs per FTE						\$79,333	\$83,693	\$83,862	\$85,353	\$87,434	\$86,731	\$90,995	\$11,662	14.7%	2.3%
Criminal Charges					3,937	3,736	2,880	3,374	4,006	3,376	3,173	1,900	(2,037)	-51.7%	-10.7%
Criminal Charges per Law Enforcement FTE						22.0	16.8	18.6	21.8	16.3	15.9	9.6	(12)	-56.1%	-12.8%
Drug Charges					627	433	364	400	355	175	228	305	(322)	-51.4%	-5.7%
Total Drug and Impact on Non-Drug Charges					761	592	496	596	616	366	394	405	(356)	-46.8%	-6.1%

*Note 1:* Expenditure and FTE data for the Law Enforcement Division was combined with County Jail prior to 2011.

*Note 2:* Absolute change, percent change, and CAGR metrics for criminal charges are calculated based on the years data was available.

*Note 3:* Criminal charge data include only charges attributable to the Cuyahoga County Sheriff's Department which includes charges from the Prosecutor's Office, Environmental Taskforce, Sheriff's Department, and Juvenile Court.

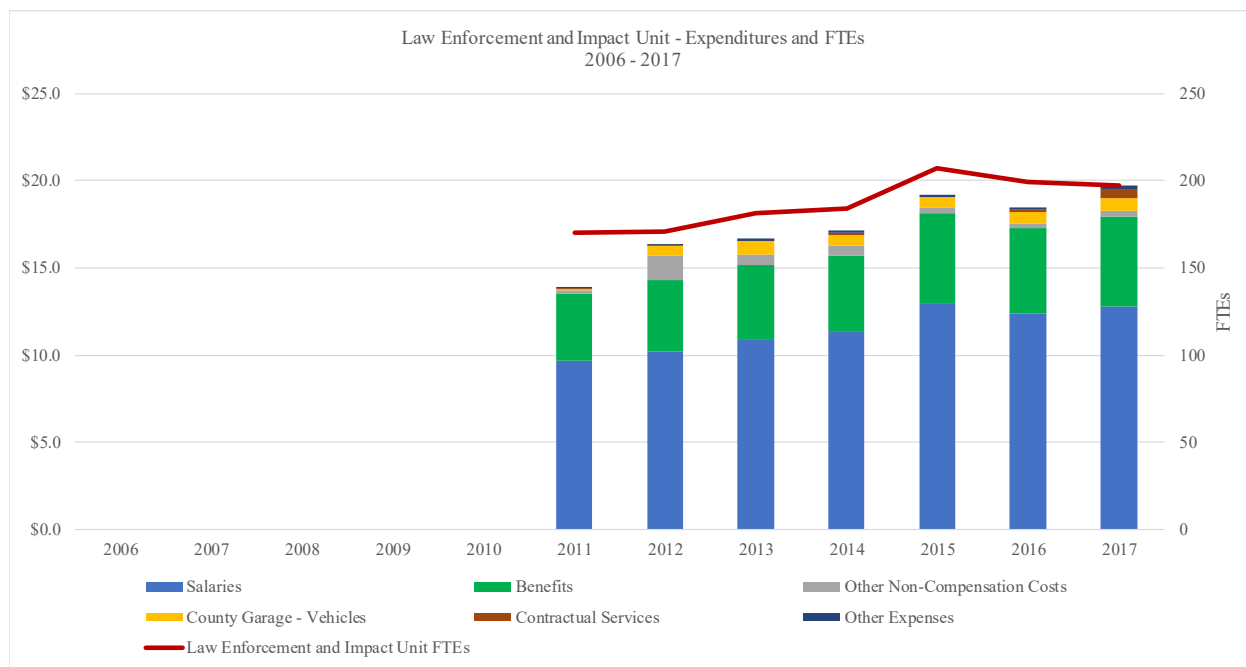
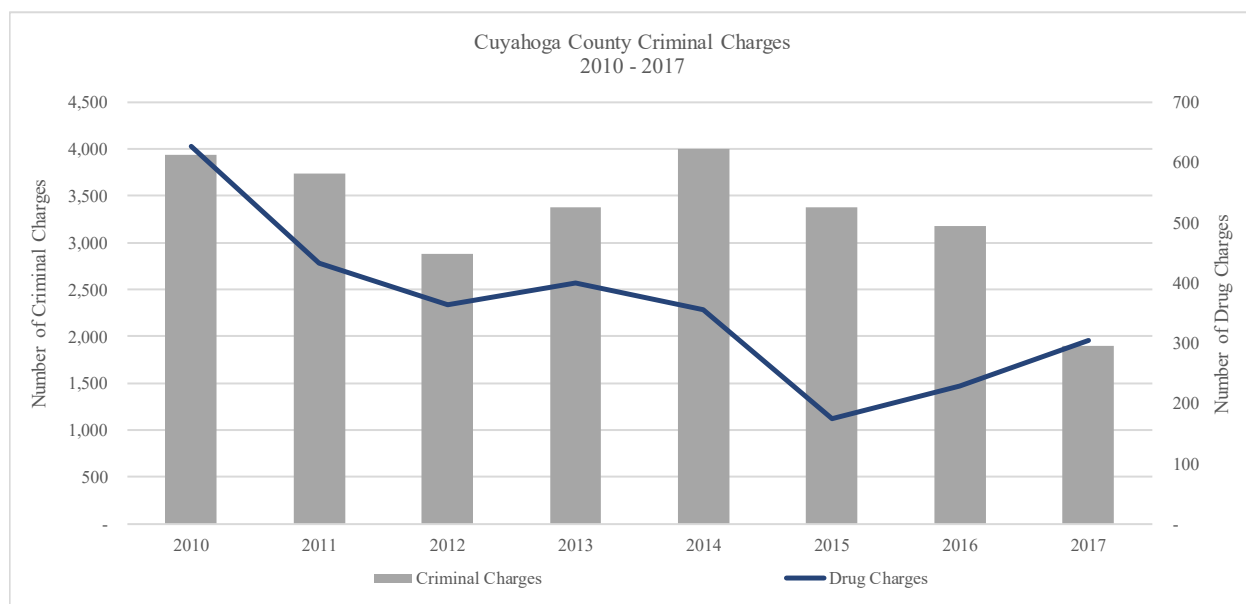
*Note 4:* Drug Charges include the following charges: 2923.241, 2925.02, 2925.03, 2925.041, 2925.11, 2925.12, 2925.13, 2925.14, 2925.141, 2925.22, 2925.24, 2925.31, 2925.37, and 4729.51.

*Note 5:* Total impact on non-drug charges are calculated per Cutler's methodology of applying the U.S. Department of Justice defined Drug Attribution Factor to non-drug crimes. See U.S. Department of Justice, National Drug Intelligence Center, "The Economic Impact of Illicit Drug Use on American Society," 2011, Table 1.7 (<https://www.justice.gov/archive/ndic/pubs44/44731/44731p.pdf>).

*Sources:* CUYAH\_014627783; CUYAH\_0017366; CUYAH\_000097414; Sheriff's Department 2006-2017 Annual Reports.

These expenditures and key metrics are further exhibited in the graph below:

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**Graph V.C.7-1: Expenditures and FTEs****Graph V.C.7-2: Criminal Charges**

In my review of the expenditures and key metrics of the Law Enforcement Division and the Impact Unit, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2011 and 2017, but increased overall by \$4.4 million (or 32.9%).



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- The CAGR of average compensation per FTE was 2.3%, which is below the average inflation rate of state and local government employees' compensation of 2.4%.<sup>154</sup>
- Total FTEs increased from 2011 to 2015 and then decreased after 2015. Between 2011 and 2017, there was a net increase of 27 FTEs (or 15.9%).
- Total criminal charges decreased by 51.7% between 2010 and 2017.
- Total drug charges and impact of non-drug charges decreased by 51.4% and 46.8%, respectively between 2010 and 2017.

### **Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$4.4 million (or 32.9%) from 2011 to 2017 and represent 92.3% of total expenditures during the period.<sup>155</sup> There was a net increase of 27 FTEs from 2011 to 2017 (including an increase of 37 FTEs from 2011 to 2015 and a decrease of 10 employees from 2015 to 2017). This net increase was all attributable to the Law Enforcement Division.

I did not identify any accounting or financial information attributing the increase in compensation costs to opioids. The only evidence on this point was anecdotal and after the fact, in the deposition testimony of Ms. Keenan. Ms. Keenan testified the Sheriff's Department would have incurred overtime related to the transportation of prisoners to outside medical facilities for treatment.<sup>156</sup> However, this testimony did not attribute any headcount increase to opioids, only overtime. In addition, overtime costs related to the transportation of prisoners cannot be entirely attributed to opioids generally, let alone prescription opioids. The Sheriff's Department 2017 Annual Report states:

In 2017 the jail sent out 505 inmates to outside medical appointments, had 296 emergency room visits, and 205 inpatient stays. Inpatient stays were primarily due to complaints of chest or abdominal pain. Outside visits are primarily for services not

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<sup>154</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2017 – Series I.D. CIU301000000000Q (Not Seasonally Adjusted).

<sup>155</sup> See CUYAH\_014627783.

<sup>156</sup> See 30(b)(6) deposition of Maggie Keenan dated January 18, 2018, pp. 51:24-52:15.

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available at the jail, including specialty physician visits, outpatient surgeries, dialysis appointments, and special testing such as MRI and CT scans and suboxone treatment at various community treatment centers.<sup>157</sup>

Most of these treatments appear to be unrelated to opioids, prescription or otherwise. This disclosure, moreover, does not identify the number of inmates receiving suboxone treatment, and prior year Sherriff Department Annual Reports do not list, let alone quantify, suboxone treatment as a specific service.<sup>158</sup>

Additionally, I noted a small decline in FTEs in the Law Enforcement Division between 2016 and 2017. This decline may be attributed to a reduction in the heroin reduction taskforce.<sup>159</sup>

Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

### **Non-Compensation Costs**

Non-compensation costs increased by \$1.4 million between 2011 and 2017. The increase in non-compensation costs was attributable to increases in “County Garage – Vehicles,” “Contractual Services,” and “Other Expenses.” The McGuire Report does not identify “Contractual Services” or “Other Expenses” as “affected costs.”<sup>160</sup> Additionally, I did not identify any information attributing the increase in “County Garage – Vehicles” (\$0.6 million from 2011 to 2017) to opioids. Therefore, based on my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

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<sup>157</sup> See Sherriff’s Department 2017 Annual Report (CUYAH\_000117228), p. 11.

<sup>158</sup> See Sherriff’s Department 2014 Annual Report (CUYAH\_000114630), pp. 9-10, Sherriff’s Department 2015 Annual Report, p. 10, and Sherriff’s Department 2016 Annual Report, pp. 11-12.

<sup>159</sup> See Cuyahoga 2016/2017 Budget Plan, p.84.

<sup>160</sup> See McGuire Appendix IV.C-7.3.

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## **8. Sheriff's Department – Jail Division**

The Jail division of the Cuyahoga County Sheriff's Department ("County Jail") is responsible for the detainment of all felony offenders and certain misdemeanants in the county. The division operates three corrections centers: (1) Downtown Corrections Center, (2) Euclid Annex,<sup>161</sup> and (3) Bedford Heights facility.<sup>162</sup> The county has undertaken a regionalization effort to minimize the number of costly independent municipal jails and centralize corrections operations to the county level. The county jails began to receive additional inmates from the City of Bratenahl in 2016, City of Richmond Heights in 2017, and inmates from the Cities of Cleveland and Bedford Heights in 2018.<sup>163</sup> These municipalities must pay a per-diem fee per inmate to the county for jailing costs. The City of Cleveland pays the county a negotiated rate of \$99 per day per inmate.<sup>164</sup>

The information I considered in my analysis of the County Jail included, but was not limited to, the following:

- County budgets and CAFRs
- Sheriff Department annual reports
- Expenditure data
- Headcount data
- Jail bookings data
- Relevant depositions and exhibits
- Publicly available information

### **a) Identification of Direct Costs**

Based on my review of the available information, I did not identify any direct costs for the County Jail, whether related either to prescription opioids or opioids generally.

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<sup>161</sup> See [http://executive.cuyahogacounty.us/pdf\\_executive/en-US/PressReleases/2014/RegionalJailAssntFinal-07-2014.pdf](http://executive.cuyahogacounty.us/pdf_executive/en-US/PressReleases/2014/RegionalJailAssntFinal-07-2014.pdf).

<sup>162</sup> See <https://sheriff.cuyahogacounty.us/en-US/corrections.aspx>.

<sup>163</sup> See <http://executive.cuyahogacounty.us/en-US/Cleveland-Prisoners-Transfer.aspx>.

<sup>164</sup> See <http://executive.cuyahogacounty.us/en-US/Jail-Regionalization.aspx>.

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**b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the County Jail between 2006 and 2017, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

Table V.C.8-1 is a summary of expenditures and key metrics of the County Jail for the period 2006 through 2017.

**Table V.C.8-1: Summary of Expenditures and Key Metrics**

County Jail (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Δ (11-17)	% Δ (11-17)	CAGR (11-17)
Salaries						\$30.4	\$31.1	\$32.8	\$33.9	\$38.4	\$36.5	\$37.4	\$7.0	23.1%	3.5%
Benefits						\$13.1	\$13.9	\$13.4	\$13.4	\$15.3	\$14.2	\$15.3	\$2.2	16.8%	2.6%
Space Maintenance						\$7.6	\$7.4	\$11.5	\$10.1	\$10.8	\$9.4	\$10.1	\$2.5	32.2%	4.8%
Contractual Services						\$3.1	\$2.4	\$2.2	\$2.8	\$2.9	\$3.5	\$4.3	\$1.2	38.1%	5.5%
Other Non-Compensation Costs						\$3.4	\$3.8	\$4.0	\$4.0	\$3.7	\$4.8	\$3.9	\$0.5	14.5%	2.3%
Total Costs						\$57.6	\$58.7	\$63.8	\$64.2	\$71.1	\$68.5	\$70.9	\$13.4	23.2%	3.5%
Compensation Costs (Salaries + Benefits)						\$43.5	\$45.0	\$46.2	\$47.4	\$53.7	\$50.7	\$52.7	\$9.2	21.2%	3.3%
Compensation Costs as % of Total Costs						75.5%	76.7%	72.3%	73.7%	75.5%	74.0%	74.3%	-1.2%		
County Jail FTEs (excluding Euclid Jail)						720	722	735	730	760	736	722	2	0.3%	0.0%
Euclid Jail FTEs										23	28	43			
Total Jail FTEs						720	722	735	730	783	764	765	45	6.3%	1.0%
(\$ Actual)															
Average Salaries per FTE						\$42,187	\$43,129	\$44,606	\$46,501	\$49,055	\$47,729	\$48,891	\$6,705	15.9%	2.5%
Average Benefits per FTE						\$18,166	\$19,248	\$18,193	\$18,392	\$19,487	\$18,634	\$19,975	\$1,809	10.0%	1.6%
Average Compensation Costs per FTE						\$60,353	\$62,376	\$62,800	\$64,894	\$68,542	\$66,364	\$68,867	\$8,514	14.1%	2.2%
Total Jail Bookings	27,867	26,446	26,461	26,519	29,131	26,161	25,324	23,900	25,060	25,279	26,202	27,414	(453)	-1.6%	-0.1%
Out-of-County Inmate Bookings									985	2,141	2,244	2,302			
Jail Bookings net Out-of-County Inmates	27,867	26,446	26,461	26,519	29,131	26,161	25,324	23,900	24,075	23,138	23,958	25,112	(2,755)	-9.9%	-0.9%
Jail Bookings - Charges	52,399	50,657	44,696	42,957	45,783	41,976	45,830	42,262	45,422	43,059	42,905	45,405	(6,994)	-13.3%	-1.3%
Jail Bookings - Drug Charges	15,973	14,418	12,313	10,696	10,073	9,036	9,102	7,612	8,124	6,450	6,350	6,884	(9,089)	-56.9%	-7.4%
Drug Charges as % of All Charges	30.5%	28.5%	27.5%	24.9%	22.0%	21.5%	19.9%	18.0%	17.9%	15.0%	14.8%	15.2%			
Charges per Booking	1.9	1.9	1.7	1.6	1.6	1.6	1.8	1.8	1.8	1.7	1.6	1.7			

*Note 1:* The Euclid Jail regionalized into county operations in 2015, Bratenahl PD in 2016, and Richmond Heights and Bedford Heights in 2017.

*Note 2:* Absolute change, percent change, and CAGR metrics for bookings and charges are calculated based on the years data was available.

*Note 3:* Jail Bookings represent the unique bookings processed, annually; Jail Bookings – Charges represent all charges for which individuals were booked, annually; Jail Bookings – Drug Charges represent all drug charges for which individuals were booked, annually.

*Note 4:* Jail Bookings – Drug Charges include the following charges: 2925.02, 2925.03, 2925.07, 2925.11, 2925.12, 2925.13, 2925.14, 2925.22, 2925.23, 2925.24, 2925.31, 2925.37, and 4729.51.

*Note 5:* Jail Bookings include violations such as parole violations, probation violations, failure to appear, contempt of court, and witness charges that do not provide detail to an original charge; I cannot determine whether these violations were drug-related.

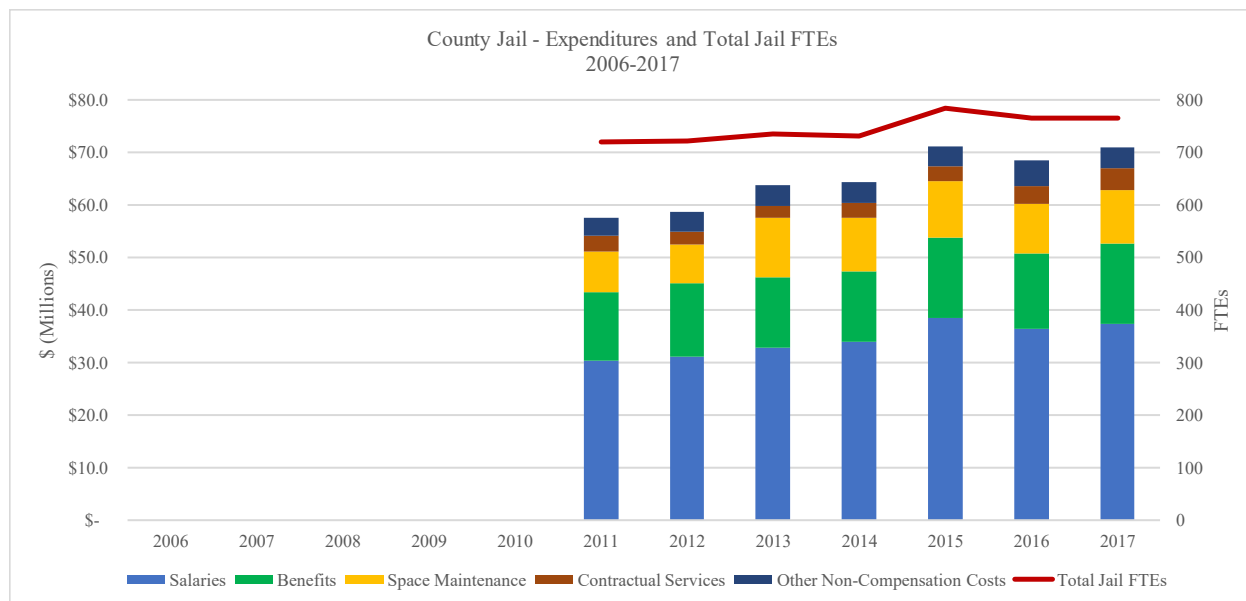
*Note 6:* Out-of-County Inmate Bookings include bookings from Bratenahl PD, Bedford Heights PD, Euclid PD and Richmond Heights PD.

*Sources:* CUYAH\_014627783; CUYAH\_001714366; CUYAH\_002503213; Sheriff's Department 2006-2017 Annual Reports.

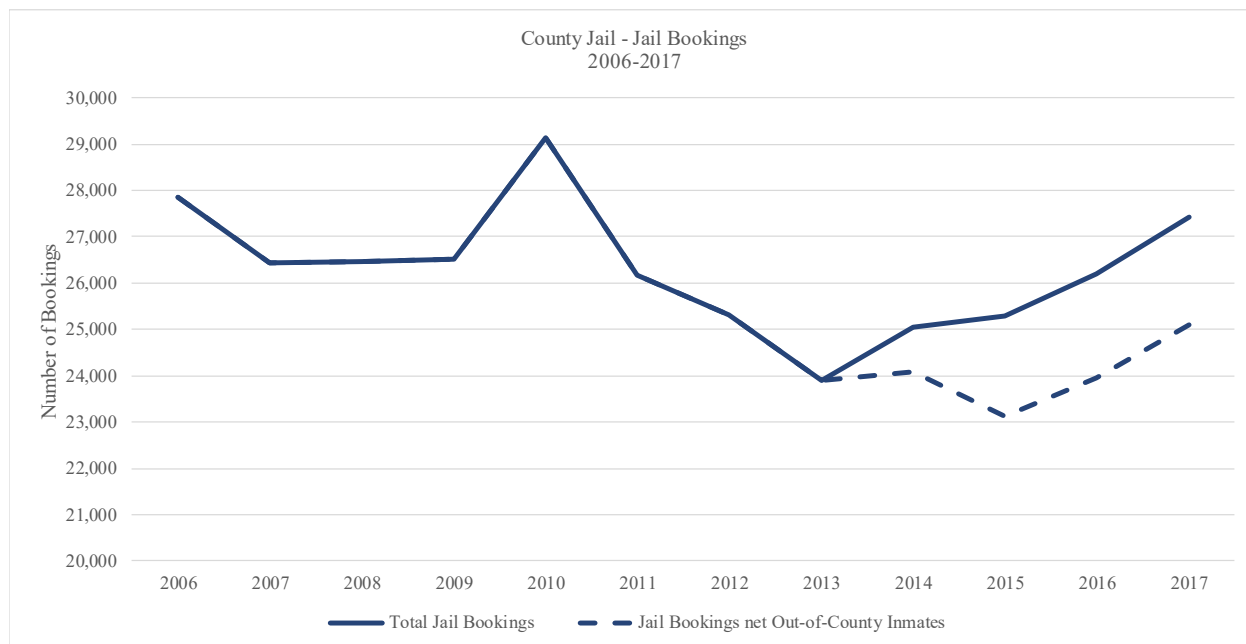
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These expenditures and key metrics are further exhibited in the graph below:

**Graph V.C.8-1: Expenditures and FTEs**



**Graph V.C.8-2: Jail Bookings**



In my review of the expenditures and key metrics of the County Jail, I noted the following:

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- Total compensation costs (salaries and benefits) fluctuated between 2011 and 2017, but increased overall by \$9.2 million (or 21.2%).
- The CAGR of average compensation per FTE was 2.2%, which is slightly below the average inflation rate of state and local government employees' compensation of 2.4%.<sup>165</sup>
- Total jail FTEs fluctuated between 2011 and 2017, but increased overall by 45 FTEs (or 6.3%) between 2011 and 2017.
- Total jail bookings declined 1.6% from 2006 to 2017. This decline would have been even higher (9.9%) if it had not been for the county corrections system regionalization efforts. For example, the Euclid facility began to receive the City of Richmond Heights' arrests in 2017.<sup>166</sup>
- Total charges associated with jail bookings declined by 13.3% from 2006 to 2017.
- Total drug charges associated with jail bookings declined by 56.9% from 2006 to 2017.
- In 2006, total drug charges associated with jail bookings constituted 30.5% of all charges. In 2017, total drug charges associated with jail bookings constituted 15.2% of all charges.

**Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$9.2 million (or 21.2%) from 2011 to 2017 and represent 74.5% of total expenditures during the period.<sup>167</sup> There was a net increase of 45 FTEs from 2011 to 2017. However, this net increase in FTEs was largely attributable to the regionalization of the Euclid Jail into county operations in 2015.<sup>168</sup> In 2016 and 2017, the county increased FTEs at the Euclid Jail by 5 and 15 FTEs, respectively. Out-of-county inmate bookings increased from 985 in 2014 to 2,302 in 2017. The county receives a per-diem fee for out-of-county jail inmates.<sup>169</sup>

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<sup>165</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2017 – Series I.D. CIU3010000000000Q (Not Seasonally Adjusted).

<sup>166</sup> See <https://sheriff.cuyahogacounty.us/en-US/corrections.aspx>.

<sup>167</sup> See CUYAH\_014627783.

<sup>168</sup> See 2015 Sheriff's Department Annual Report, p.5

<sup>169</sup> See Cuyahoga 2018/2019 Recommended Budget, p.8

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Based on my review of jail bookings data,<sup>170</sup> total drug charges associated with jail bookings declined by 56.9% from 2006 to 2017. Additionally, in 2006, total drug charges associated with jail bookings constituted 30.5% of all charges compared to 2017 where total drug charges associated with jail bookings constituted 15.2% of all charges. Therefore, any increases in FTEs not attributable to the county corrections system regionalization efforts, do not appear to be related to jail bookings associated with drug charges. And, consequently, any increase in FTEs does not appear related to drugs, let alone prescription opioids or opioids generally.

Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

### **Non-Compensation Costs**

Non-compensation costs increased by \$4.1 million between 2011 and 2017. The increase in non-compensation costs was attributable to increases in “Space Maintenance” and “Contractual Services.” Based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally. Additionally, I note that the McGuire Report does not identify these accounts as “affected costs.”<sup>171</sup>

## **9. Medical Examiner**

The Cuyahoga County Medical Examiner is responsible for the investigation of sudden or unexpected deaths, through scene investigation, autopsy and toxicology examinations, and the provision of laboratory services.<sup>172</sup> The Medical Examiner is divided into three subdivisions: (1) medical examiner operations, (2) coroner’s laboratory, and (3) regional forensic science lab. The Medical Examiner is funded through a variety of sources including: charges for services which include lab fees for autopsies performed for counties outside of Cuyahoga, other intergovernmental contributions from other governmental entities including the City of

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<sup>170</sup> See CUYAH\_002503213.

<sup>171</sup> See McGuire Report, Appendix IV.C-8.3.

<sup>172</sup> See Cuyahoga 2018/2019 Recommended Budget, p. 103.

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Cleveland and Cuyahoga Metropolitan Housing Authority for work formerly performed by those entities, a General Fund subsidy to the Regional Crime Lab, and the General Fund for overall operations of the Medical Examiner not covered by the program specific areas.<sup>173</sup>

In 2010, “an agreement with the Prosecutor’s office, Sheriff’s Department, and the City of Cleveland Division of Police established the Cuyahoga County Regional Forensic Science Lab.”<sup>174</sup> In January 2015, the Medical Examiner opened its expanded Regional Crime Lab, which provides vital services to quickly identify sources of overdose deaths to prevent future overdoses.<sup>175</sup> Additionally, the Medical Examiner re-accredited its parentage and identification lab and toxicology lab around 2015 and opened a fingerprint lab accepting casework as of October 1, 2015.<sup>176</sup>

The information I reviewed in my analysis of the Medical Examiner included, but was not limited to, the following:

- County budgets and CAFRs
- Medical Examiner’s annual statistical reports
- Expenditure data
- FTE data
- Depositions and exhibits of relevant personnel
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I identified no direct costs related to prescription opioids for the Medical Examiner. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total

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<sup>173</sup> See Cuyahoga 2016/2017 Recommended Budget, p. IV-16.

<sup>174</sup> See Cuyahoga 2011 Recommended Budget, p. IV-5.

<sup>175</sup> See Cuyahoga 2016/2017 Recommended Budget, p. IV-17.

<sup>176</sup> See Cuyahoga 2016/2017 Budget Plan, p. 83.



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direct costs of \$2,636,996 for the Medical Examiner.<sup>177</sup> These direct costs included the following:

- \$364,428 for the heroin and fentanyl related cost commitments for personnel, supplies and testing, and body transport costs in 2015 through 2016.
- \$1,109,407 for the heroin and fentanyl related cost commitments for personnel, equipment, supplies and testing, and body transport costs in 2017.
- \$848,765 for the hiring of seven additional employees in the Regional Crime Lab to assist with the growing heroin epidemic and the recent growth in fentanyl-related and gun-related deaths in 2016 through 2017.
- \$314,396 for the hiring of five additional new employees (four forensic scientists and one pathology assistant) to assist in responding to the opioid crisis in 2018.

I found no evidence which indicates these direct costs were specific to prescription opioids.

Additionally, I identified \$714,439 of general opioid costs for the Medical Examiner not paid for by the county.<sup>178</sup> These general opioid costs were paid for by intergovernmental contributions and other non-county funds.<sup>179</sup> Since these general opioid costs were not the burden of the county, they are excluded from my total direct costs.

#### **b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the Medical Examiner between 2006 and 2017 in addition to my direct costs described above, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

Table V.C.9-1 is a summary of expenditures and key metrics of the Medical Examiner for the period 2006 through 2017.

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<sup>177</sup> See Appendix 4 – Cuyahoga County Direct Costs.

<sup>178</sup> See Appendix 4 – Cuyahoga County Direct Costs.

<sup>179</sup> See Cuyahoga 2016/17 Recommended Budget, p. IV-16.

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**Table V.C.9-1: Summary of Expenditures and Key Metrics**

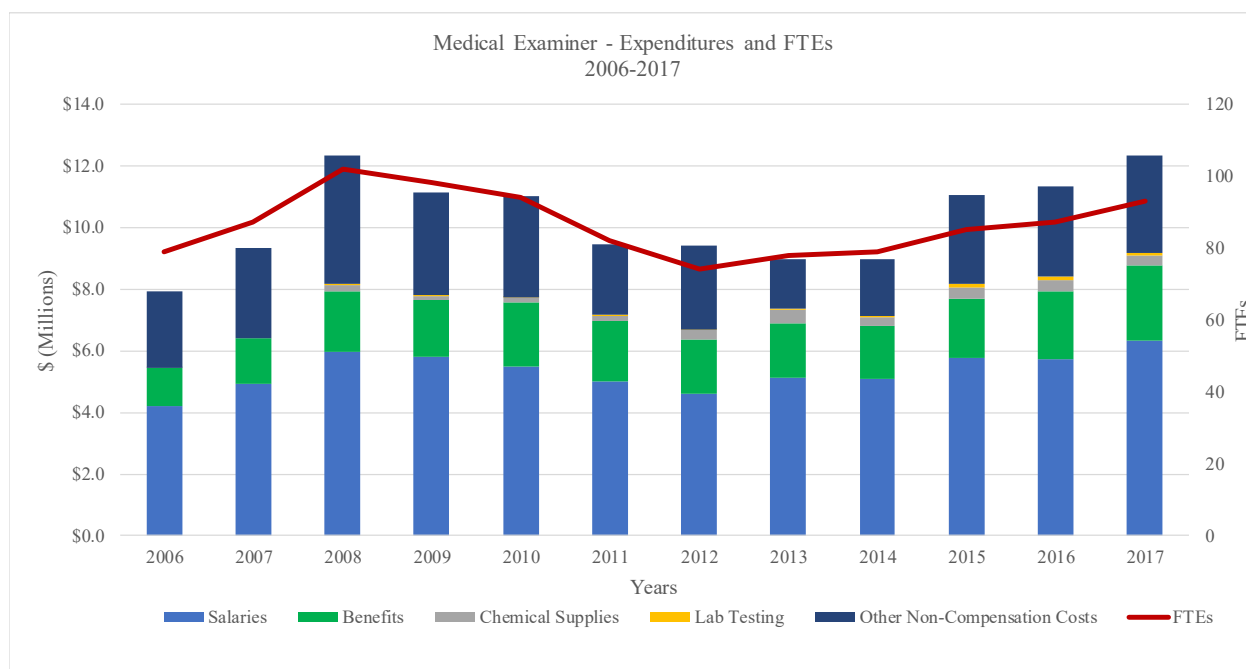
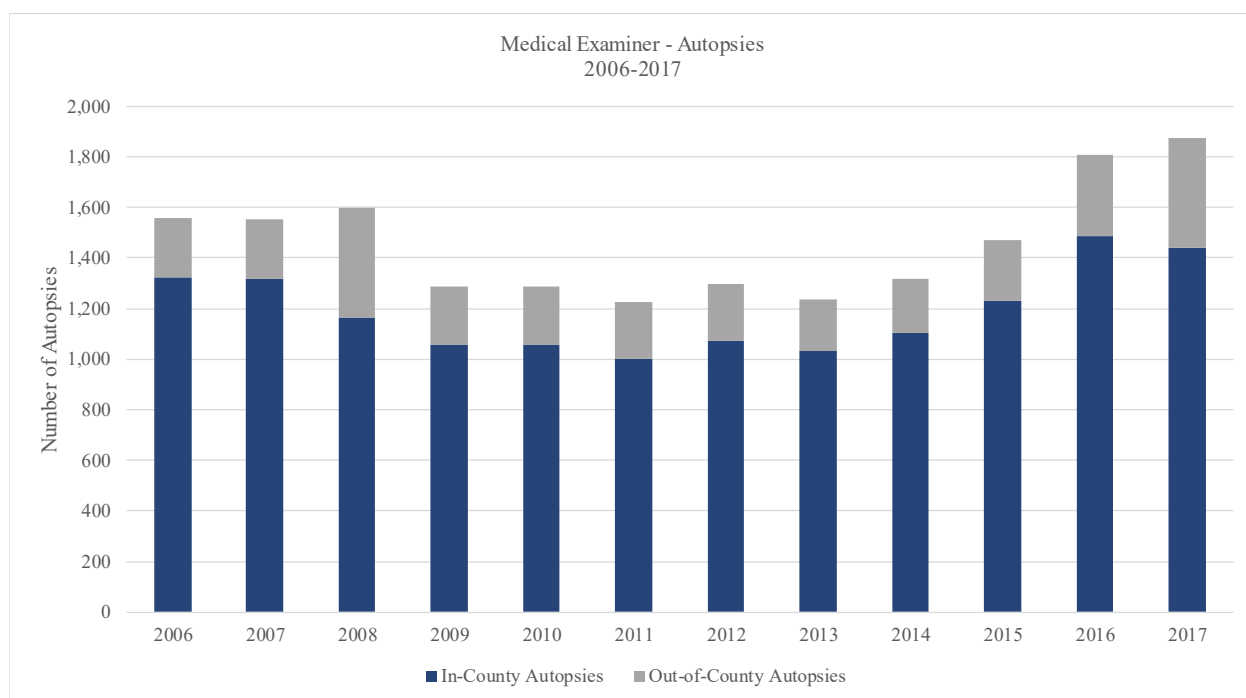
Medical Examiner (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Δ (06-17)	% Δ (06-17)	CAGR (06-17)
Salaries	\$4.2	\$4.9	\$6.0	\$5.8	\$5.5	\$5.0	\$4.6	\$5.1	\$5.1	\$5.7	\$5.7	\$6.3	\$2.1	50.5%	3.8%
Benefits	\$1.3	\$1.5	\$2.0	\$1.8	\$2.1	\$2.0	\$1.8	\$1.7	\$1.7	\$1.9	\$2.2	\$2.5	\$1.2	95.0%	6.3%
Chemical Supplies	\$0.0	\$0.0	\$0.2	\$0.1	\$0.2	\$0.2	\$0.3	\$0.5	\$0.3	\$0.4	\$0.4	\$0.3	\$0.1	59.0%	5.3%
Lab Testing	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	204.0%	13.1%
Other Non-Compensation Costs	\$2.5	\$3.0	\$4.2	\$3.3	\$3.3	\$2.3	\$2.7	\$1.6	\$1.8	\$2.9	\$2.9	\$3.2	\$0.7	28.4%	2.3%
<b>Total Costs</b>	<b>\$7.9</b>	<b>\$9.3</b>	<b>\$12.3</b>	<b>\$11.1</b>	<b>\$11.0</b>	<b>\$9.4</b>	<b>\$9.4</b>	<b>\$9.0</b>	<b>\$9.0</b>	<b>\$11.1</b>	<b>\$11.3</b>	<b>\$12.3</b>	<b>\$4.4</b>	<b>55.6%</b>	<b>4.1%</b>
Compensation Costs (Salaries + Benefits)	\$5.5	\$6.4	\$7.9	\$7.7	\$7.6	\$7.0	\$6.4	\$6.9	\$6.8	\$7.7	\$7.9	\$8.8	\$3.3	60.8%	4.4%
Compensation Costs as a % of Total Costs	68.8%	68.4%	64.3%	68.7%	68.9%	73.8%	67.7%	76.5%	75.8%	69.4%	70.0%	71.1%	2.3%		
FTEs	79	87	102	98	94	82	74	78	79	85	87	93	14	17.7%	1.5%
<b>(\$ Actual)</b>															
Average Salaries per FTE	\$53,085	\$56,650	\$58,561	\$59,365	\$58,135	\$61,056	\$62,366	\$65,909	\$64,356	\$67,600	\$65,855	\$67,868	\$14,784	27.8%	2.3%
Average Benefits per FTE	\$15,964	\$16,815	\$19,132	\$18,707	\$22,382	\$23,902	\$23,691	\$22,147	\$21,671	\$22,675	\$25,190	\$26,446	\$10,482	65.7%	4.7%
Average Compensation Costs per FTE	\$69,048	\$73,465	\$77,693	\$78,072	\$80,517	\$84,958	\$86,057	\$88,056	\$86,027	\$90,274	\$91,045	\$94,314	\$25,266	36.6%	2.9%
In-County Autopsies	1,325	1,320	1,163	1,059	1,059	1,004	1,072	1,033	1,103	1,233	1,489	1,443	118	8.9%	0.8%
Out-of-County Autopsies	231	232	434	231	231	222	224	205	217	240	317	430	199	86.1%	5.8%
<b>Total Medical Examiner Autopsies</b>	<b>1,556</b>	<b>1,552</b>	<b>1,597</b>	<b>1,290</b>	<b>1,290</b>	<b>1,226</b>	<b>1,296</b>	<b>1,238</b>	<b>1,320</b>	<b>1,473</b>	<b>1,806</b>	<b>1,873</b>	<b>317</b>	<b>20.4%</b>	<b>1.7%</b>
In-County % of Total Autopsies	85.2%	85.1%	72.8%	82.1%	82.1%	81.9%	82.7%	83.4%	83.6%	83.7%	82.4%	77.0%	-8.1%		
Out-of-County % of Total Autopsies	14.8%	14.9%	27.2%	17.9%	17.9%	18.1%	17.3%	16.6%	16.4%	16.3%	17.6%	23.0%	8.1%		

*Note:* Absolute change, percent change, and CAGR metrics for “Chemical Supplies” and “Lab Testing” are calculated based on the period 2008-2017 due to limited to no activity in the accounts prior to 2008.

*Sources:* CUYAH\_014627783; CUYAH\_001714366; CUYAH\_000099975; Cuyahoga 2008-2018/2019 Budget Plans.

These expenditures and key metrics are further exhibited in the graphs below:

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**Graph V.C.9-1: Summary of Expenditures****Graph V.C.9-2: Autopsies**

In my review of the expenditures and key metrics of the Medical Examiner, I noted the following:

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- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2017, but increased overall by \$3.3 million (or 60.8%).
- The CAGR of average compensation per FTE was 2.9%, which is slightly above the average inflation rate of state and local government employees' compensation of 2.4%.<sup>180</sup>
- Chemical Supplies costs and Lab Testing costs increased by \$0.1 million (or 59.0%) and \$0.1 million (or 204.0%) from 2008 to 2017, respectively.
- Total FTEs increased between 2006 and 2008, decreased between 2008 and 2012 and increased between 2012 and 2017. Between 2006 and 2017, there was a net increase of 14 FTEs (or 17.7%).
- Total out-of-county autopsies increased 86.1% from 2006 to 2017. The county receives fees from out-of-county autopsies.

### **Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$3.3 million (or 60.8%) from 2006 to 2017 and represent 70.1% of total expenditures during the period.<sup>181</sup> There was a net increase of 14 FTEs from 2006 to 2017. Notably, FTEs increased from 2006 to 2008, decreased from 2008 to 2012, and then increased from 2012 to 2017.

The increase in FTEs from 2006 to 2008 was primarily to “generate new revenue streams in the form of contracts with local law enforcement and with the State for trace evidence testing and also DNA testing for Parentage and Identification.”<sup>182</sup> Additionally, between 2006 and 2008, compensation costs increased due to the Medical Examiner’s effort to increase salaries in order to minimize the salary discrepancies between government and private salaries and to expand and improve the lab and the services offered to the community.<sup>183</sup>

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<sup>180</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2017 – Series I.D. CIU3010000000000Q (Not Seasonally Adjusted).

<sup>181</sup> See CUYAH\_014627783.

<sup>182</sup> See Cuyahoga 2008 Recommended Budget, p. III 52.

<sup>183</sup> See Cuyahoga 2008 Recommended Budget, p. III 54 and Cuyahoga 2010 Recommended Budget, p. III 46.

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The increase in FTEs from 2013 to 2017 offset the number of FTEs laid-off between 2010 to 2012, as well as the decrease in FTEs due to the consolidation of the information technology staff.<sup>184</sup> However, I did note the Cuyahoga 2016/2017 Budget Plan referenced the addition of seven FTEs in the Regional Crime Lab related to “the growing heroin epidemic and the recent growth in Fentanyl-related and gun-related deaths.”<sup>185</sup> This appears to corroborate with the net 8 FTE additions between 2015 and 2017, when out-of-county autopsies increased from 240 to 430. I have included an estimate of these additional FTEs in my calculation of direct costs.

Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally, in excess of the seven FTEs added to the Regional Crime Lab.

### **Chemical Supplies and Lab Testing Costs**

Chemical Supplies and Lab Testing costs increased by \$0.1 million (or 59.0%) and \$0.1 million (or 204.0%) from 2008 to 2017, respectively.<sup>186</sup> However, these costs only represent 3.1% of total expenditures during the period. Chemical Supplies costs fluctuated between 2008 and 2015 and then decreased from 2015 to 2017. Lab Testing costs fluctuated between 2008 and 2012, increased from 2013 to 2015, and then decreased in 2016 and 2017.

Based on my review of the available information, since at least 2007, the Medical Examiner has actively tried to increase its revenues by performing out-of-county autopsies.<sup>187</sup> Additionally, I noted in the Cuyahoga 2014/2015 Recommended Budget, under the “2013 Third Quarter Update and Budget Performance” section, the following disclosure:<sup>188</sup>

The Medical Examiners General Fund subsidy has a budget deficit primarily to the shifting of expenses from the general operating

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<sup>184</sup> See Cuyahoga 2012/2013 Recommended Budget, p. IV-27.

<sup>185</sup> See Cuyahoga 2016/2017 Budget Plan, p. 83.

<sup>186</sup> There was limited to no activity for Chemical Supplies and Lab Testing expenditures between 2006 and 2008. Therefore, this period was excluded from my analysis.

<sup>187</sup> See Cuyahoga 2007 Recommended Budget, p. III-55 and Cuyahoga 2008 Recommended Budget, p. III-52.

<sup>188</sup> See Cuyahoga 2014/2015 Recommended Budget, p. IV-23.

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account to the Crime Lab and due to the impact of the expanded rape kit testing as result of the Sexual Assault Initiative.

Therefore, it appears the increases in Chemical Supplies and Lab Testing costs are primarily related to the Sexual Assault Initiative and the county's expansion of its services to increase revenues out-of-county sources. The latter is consistent with the increase in out-of-county autopsies between 2006 and 2017.

Based on the above and my review of the available information, I determined there were no incremental increases in Chemical Supplies and Lab Testing costs related to prescription opioids or opioids generally not otherwise identified in my calculation of direct costs.

#### **Other Non-Compensation Costs**

Other non-compensation costs increased by \$0.7 million between 2006 and 2017. The increase in non-compensation costs was primarily attributable to "Space Maintenance," "Equipment Contract Maint[enance] & Repair," and "Equipment&Furniture." Based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally not otherwise identified in my calculation of direct costs. Additionally, I note that the McGuire Report does not identify these accounts as "affected costs."<sup>189</sup>

### **D. Analysis of the "Affected Divisions" of Summit County**

#### **1. ADM Board**

The Summit County ADM Board (or ADM) is "responsible for planning, funding, monitoring and evaluating prevention, treatment and recovery services" for Summit County residents experiencing mental health and/or addiction issues.<sup>190</sup> ADM does not directly provide any services, but contracts with local agencies to ensure that Summit County families can receive a continuum of behavioral healthcare, even if clients are uninsured or underinsured. Annually,

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<sup>189</sup> See McGuire Report, Appendix IV.C-8.3.

<sup>190</sup> See Summit 2019 Operating Budget, p. 583.

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ADM “funds treatment services for over 13,000 Summit County residents” in need of assistance.<sup>191</sup>

The majority of resources used to fund ADM service contracts come from a property tax levy assessed to Summit County residents.<sup>192</sup> The remainder of funds come from state, federal, and other private sources.<sup>193</sup>

The ADM division is comprised of Alcohol and Other Drug (“AoD”) and Mental Health. These AoD services include: detoxification services, residential treatment, and medically assisted treatment services.

The information I considered in my analysis of ADM included, but was not limited to, the following:

- County budgets and CAFRS
- Accounting data from Summit County’s Banner accounting system
- ADM annual reports
- ADM annual budget reviews
- ADM clinical reports
- ADM claims data
- Headcount data
- Depositions and exhibits of relevant personnel
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I identified no direct costs related to prescription opioids for the ADM Board. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused

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<sup>191</sup> See Summit 2019 Operating Budget, p. 583.

<sup>192</sup> Levy funds have comprised the majority of revenues since 2012 when Medicaid was elevated to the State of Ohio (see ADM 2018 Annual Budget Review, p. 50).

<sup>193</sup> See Summit 2019 Operating Budget, p. 583.

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solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total direct costs of \$7,078,148 for the ADM Board.<sup>194</sup> The majority of these direct costs related to expenditures are captured in the Banner accounting system as “Opioid Abatement Strategies,” Opiate Task Force,” and “Recovery Housing - Addiction.”<sup>195</sup> These accounts appear to capture costs outside ADM’s normal provision of services. Additionally, I found no evidence which indicates these accounts are specific to prescription opioid costs.

Table V.D.1-1 is a summary of “Opioid Abatement Strategies,” Opiate Task Force,” and “Recovery Housing - Addiction” expenditures through 2018.

**Table V.D.1-1: Banner Expenditures**

<b>Accounts</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total</b>
Opioid Abatement Strategies				\$ 2,444,638	\$ 2,632,918	\$ 5,077,556
Opiate Task Force	1,911	34,548	12,609	31,116	42,094	122,279
Recovery Housing - Addiction		96,200		45,387	470,541	612,128
<b>Total - Local Funds</b>	<b>\$ 1,911</b>	<b>\$ 130,748</b>	<b>\$ 12,609</b>	<b>\$ 2,521,141</b>	<b>\$ 3,145,553</b>	<b>\$ 5,811,962</b>

*Note:* Based on the available information, it appears these expenses were funded by local sources (*see* deposition of Gerald Craig dated January 11, 2019, pp. 190:8-191:6 and “Opioid Abatement Strategies” account invoices (as an example, *see* SUMMIT\_002079461).

*Source:* SUMMIT\_002054603.

The county produced invoices related to costs captured in the “Opioid Abatement Strategies” account.<sup>196</sup> Based on my review of these invoices, many of the initiatives discussed as responses to the “opioid epidemic” (e.g., bed and detox expansion) in the ADM annual budget reviews are captured within this account.<sup>197</sup>

I did not identify any additional detail related to the “Opiate Task Force” account. However, based on the account name, I assumed conservatively that all costs in this account are general opioid costs. Additionally, the “Recovery Housing - Addiction” account does not reference “opioid” or “opiate” in the account name, but I included the account conservatively as

<sup>194</sup> See Appendix 5 – Summit County Direct Costs.

<sup>195</sup> See SUMMIT\_002054603.

<sup>196</sup> As an example, *see* SUMMIT\_002079461.

<sup>197</sup> See ADM 2017 Annual Budget Review, p. 5; “Report on Opiate Epidemic Impact” (SUMMIT\_002053751).



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a direct cost because recovery housing was often referenced as a “need” surrounding the “opioid epidemic” regarding recovery support for clients leaving detox or residential treatment.<sup>198</sup>

I also identified a document prepared in 2017 by Jennifer Peveich (Associate Director of Operations, ADM) that purports to identify “[o]pioid related costs” for 2014 through 2016 (years before the “Opioid Abatement Strategies” expense account was created).<sup>199</sup> Such costs included expenditures related to “MAT pilot programs, start up for Recovery Housing programs, Ambulatory Detox program expansion, as well as Intensive Outpatient program expansion” and Project DAWN.<sup>200</sup> These costs appear to relate to programs outside the normal provision of ADM’s services. Additionally, I found no evidence which indicates these programs are specific to prescription opioids. Table V.D-1-2 is a summary of the pre-2017 abatement related program expenditures.

**Table V.D.1-2: Pre-2017 Abatement Expenditures**

<b>Identified Costs</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>Total</b>
Addiction Treatment & Support Capacity Expansion	\$ 526,476	\$ 640,167	\$ 13,563	\$ 1,180,206
DAWN Clinics	-	-	85,980	85,980
<b>Total - Local Funds</b>	<b>\$ 526,476</b>	<b>\$ 640,167</b>	<b>\$ 99,543</b>	<b>\$ 1,266,186</b>

*Note:* The source document delineates between "Federal & State" and "Local" funds. Only Local funds are reported above.

*Source:* (30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, Exhibit 2.

I also identified other expense line items within the Banner accounting system that appear to support ADM initiatives related to opioid abuse and dependency; however, the account names explicitly reference a grant.<sup>201</sup> For example, ATP (Addiction Treatment Program) and Cures Act

<sup>198</sup> See ADM 2018 Annual Budget Review, p. 13 and “Report on Opiate Epidemic Impact” (SUMMIT\_002053751).

<sup>199</sup> See (30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, Exhibit 2.

<sup>200</sup> This document also includes costs for “Recovery Supports.” It was unclear how this was directly tied to opioids, if it was outside the provision of normal services, or if this was also captured in the “Recovery Housing – Addiction” expense account identified in the Banner Accounting system. Therefore, these amounts have been excluded from my analysis.

<sup>201</sup> See SUMMIT\_002054603, Fund: 20704 / Orgn: 5335 (Alcohol, Drug, & Mental Health) at account numbers 47220 and 47221.

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are the names of grants received by ADM for opioid-related services.<sup>202</sup> Since these general opioid costs were not the burden of the county, they are excluded from my total direct costs.

### b) Identification and Analysis of Incremental Costs

Based on my review of the available information, I did not identify any incremental costs for the ADM Board between 2006 and 2018, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

Table V.D.1-3 is a summary of expenditures and key metrics of the ADM Board for the period 2006 through 2018.

**Table V.D.1-3: Summary of Expenditures and Key Metrics**

ADM (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Δ (06-18)	% Δ (06-18)	CAGR (06-18)
Board Administration	\$2.4	\$2.3	\$2.4	\$2.4	\$2.5	\$2.4	\$2.3	\$2.4	\$2.5	\$2.4	\$2.6	\$2.6	\$2.5	\$0.2	7.0%	0.6%
Provider Contracts	\$59.8	\$60.7	\$61.4	\$70.5	\$71.0	\$74.1	\$56.3	\$40.2	\$36.2	\$37.2	\$40.0	\$42.9	\$42.2	(\$17.6)	-29.4%	-2.9%
Total Costs	\$62.1	\$63.1	\$63.8	\$73.0	\$73.5	\$76.5	\$58.6	\$42.6	\$38.7	\$39.6	\$42.6	\$45.4	\$44.7	(\$17.4)	-28.1%	-2.7%
FTEs	23	20	22	22	20	21	22	19	20	20	18	21		(2)	-8.7%	-0.8%
AoD (Non-Medicaid)				\$12.6	\$12.5	\$12.8	\$13.1	\$13.3	\$12.5	\$13.3	\$13.7			\$1.1	8.6%	1.2%
Opioid Caseloads (Clients)	752	802	770	1,059	1,103	1,151	1,252	1,416	1,356	1,488	1,780	1,698		946	125.8%	7.7%

*Note 1:* Final FTE data was not available for 2018. Data for AoD non-Medicaid expenditures in 2006-2008 and 2017-2018 is not available. Data for opioid caseloads was not available for 2018.

*Note 2:* Absolute change, percent change, and CAGR metrics for AoD non-Medicaid expenditures and opioid caseloads are calculated based on the years data was available.

*Note 3:* Provider Contracts includes both Mental Health and AoD expenditures. These expenditures are entitled “Operational Accounts” and “Contract Services” within the ADM Annual Budget Reviews and Summit County Banner Accounting System, respectively.

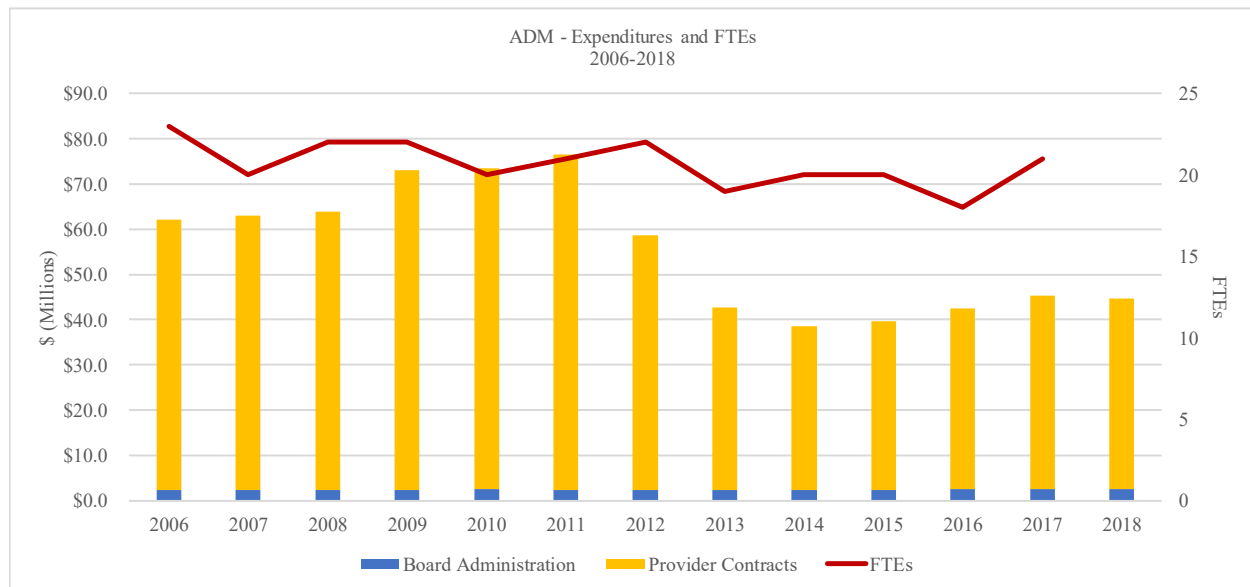
*Note 4:* Board Administration includes salaries and benefits for FTEs specified above, as well as all other overhead accounts.

*Sources:* SUMMIT\_002054603 (2017-2018); ADM 2006-2016 Annual Budget Reviews, “Financial Statements – Expenditures” section; SUMMIT\_001952975; SUMMIT\_002053751.

These expenditures and key metrics are further exhibited in the graph below:

<sup>202</sup> See ADM 2018 Annual Budget Review, pp. 27 and 60. Note that ATP services include MAT, which can be provided for opioid or alcohol abuse.

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**Graph V.D.1-1: Expenditures and FTEs**

Sources: SUMMIT\_002054603; SUMMIT\_001952975; ADM 2007-2010 and 2013-2018 Annual Budget Reviews, “Financial Statement – Expenditures” section.

Expenditures for ADM are comprised of two main categories: (1) board administration and (2) contract services. ADM has relatively few employees that handle administrative functions, which keeps personnel cost low. Instead, the vast majority of expenditures fall under contract services, where third party agencies are paid for providing addiction and mental health services to clients served under ADM. The remainder of expenditures relate to small overhead and miscellaneous accounts.

Overall, ADM expenditures decreased from 2006 to 2018. The decrease in expenditures is partly attributable to changes in Medicaid billing/reimbursement practices. Beginning July 1, 2012, Medicaid Claims were no longer processed by ADM and instead submitted directly to the Ohio Department of Job and Family Services.<sup>203</sup> Also, effective in 2014, Ohio adopted the Affordable Care Act which expanded Medicaid coverage to a larger percentage of the population, therefore lowering the number of clients served by ADM.<sup>204</sup>

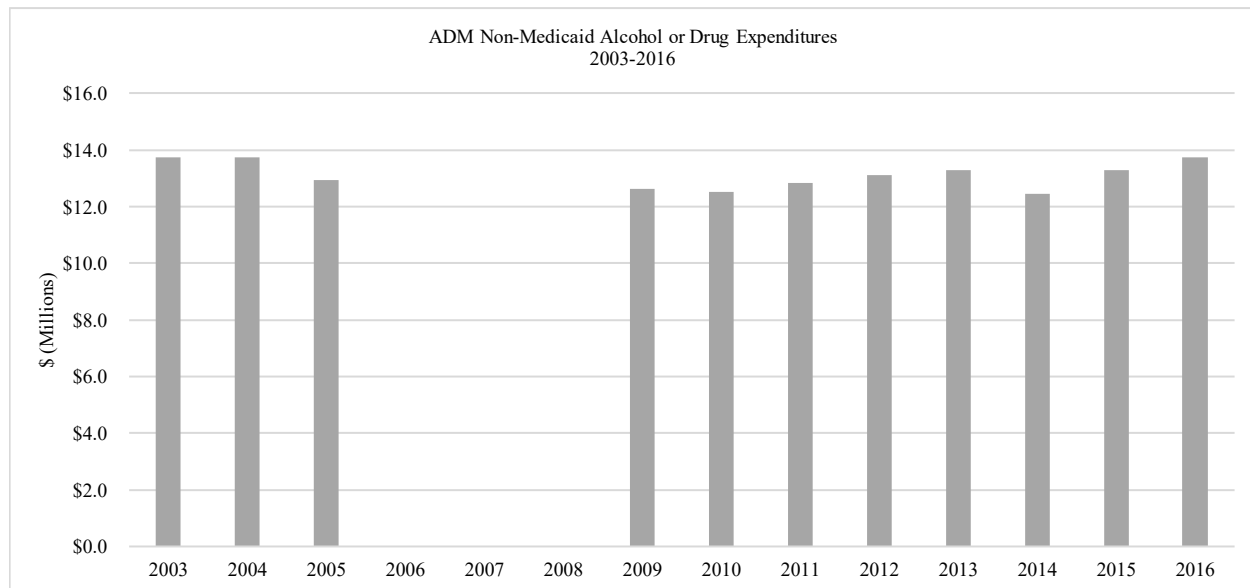
<sup>203</sup> See ADM 2013 Annual Budget Review, p. 19.

<sup>204</sup> See ADM 2018 Annual Budget Review, p. 16 and <https://www.kff.org/health-reform/state-indicator/state-activity-around-expanding-medicare-under-the-affordable-care-act/>.

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Due to these changes in Medicaid, I analyzed non-Medicaid AoD expenditures. These expenditures would include treatment for addictions including opioids funded by ADM (including both levy and state/federal funds). Graph V.D.1-2 depicts the ADM non-Medicaid AoD expenditures for 2003 to 2016 (as available).

**Graph V.D.1-2: ADM Non-Medicaid AoD Expenditures**



*Note:* Data for AoD non-Medicaid expenditures in 2006-2008 and 2017-2018 is not available.

*Source:* ADM 2007-2010 and 2013-2018 Annual Budget Reviews, “Financial Statement – Expenditures” section.

As depicted above, non-Medicaid AoD expenditures remained relatively stable between 2003 and 2016. ADM continued to provide the ordinary provision of services at consistent levels and did not incur costs in excess of the norm beyond my identified direct costs. Additionally, although non-Medicaid AoD expenditure data is not available for 2017 and 2018, I note that \$5.7 million of my identified direct costs relate to this period.

Based on the above and my review of the available information, I determined there were no incremental increases in Board Administration or Provider Contracts costs related to prescription opioids or opioids generally.

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## **2. Children Services**

Per the Court's recent Orders,<sup>205</sup> my analysis of Summit County Children Services is omitted, pending receipt of Children Services case files from Plaintiffs. Upon receipt, I will provide my opinions on Summit County Children Services in a separate supplemental report. I may also update certain summed cost tabulations presented in this report to be inclusive of my supplemental analysis.

## **3. Prosecutor's Office**

The Summit County Prosecutor's Office is comprised of six major divisions: (1) Criminal Division, (2) Civil Division, (3) Juvenile Division, (4) Victim Services, (5) Tax Division, and (6) Child Support Enforcement Agency ("CSEA").<sup>206</sup> The last two divisions, Tax and CSEA, are funded through Special Revenue Funds including fees and state and federal funds. The other divisions receive funding from the General Fund.

The Criminal Division and the Juvenile Division are the two divisions that prosecute drug related cases.<sup>207</sup> The Criminal Division handles all felony cases in Summit County, and two prosecutors from this division are assigned to each of the ten Common Pleas Courts.<sup>208,209</sup> The Juvenile Division consists of two separate divisions, Delinquency and Child Protection (Dependency/Neglect).<sup>210</sup> The Delinquency Division prosecutes all minors charged with

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<sup>205</sup> See Order re Objections to Discovery Ruling No. 17 from J. Polster dated April 10, 2019 (Dkt. No. 1535) and Order Granting an Extension to File a Single, Supplemental Report on Children's Services' Damages from SM Cohen dated May 7, 2019.

<sup>206</sup> See Summit 2018 Operating Budget, pp. 321-346.

<sup>207</sup> See deposition of Brad Gessner dated December 3, 2018, p. 237:10-21.

<sup>208</sup> Three prosecutors are assigned to the Domestic Violence Court (see Summit 2013 Operating Budget, p. 391).

<sup>209</sup> See Summit 2013 Operating Budget, p. 391 and deposition of Brad Gessner dated December 3, 2018, p. 263:17-21.

<sup>210</sup> See Summit 2013 Operating Budget, p. 392 and Summit 2017 Operating Budget, pp. 324-327.

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criminal, traffic, or status offense in Summit County.<sup>211</sup> The Child Protection Unit is responsible for all proceedings involving Summit County Children Services.<sup>212,213</sup>

The Civil Division provides legal services for all county officials, departments, and employees, and handles civil forfeiture cases.<sup>214</sup> Victim Services is made up of victim advocates who provide services to victims of criminal, domestic, and civil cases.<sup>215</sup>

The information I considered in my analysis of the Prosecutor's Office included, but was not limited to, the following:

- County budgets and CAFRs
- Accounting data from Summit County's Banner accounting system
- Headcount data
- Court of Common Pleas charges and cases data
- Depositions and exhibits of relevant personnel
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I did not identify any direct costs for the Prosecutor's Office, whether related either to prescription opioids or opioids generally. The Prosecutor's Office applied for a grant to establish an Opiate Unit and hire two additional prosecutors for this unit,<sup>216</sup> but the grant funds were ultimately not received.<sup>217</sup>

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<sup>211</sup> See Summit 2017 Operating Budget, p. 326.

<sup>212</sup> See Summit 2017 Operating Budget, p. 324.

<sup>213</sup> A portion of this unit receives reimbursement from Title IV-E funding. These expenses are not included in my analysis (see Summit 2013 Operating Budget, p. 392 and deposition of Brad Gessner dated December 3, 2018, pp. 286:23-287:6).

<sup>214</sup> See Summit 2013 Operating Budget, p. 393.

<sup>215</sup> See Summit 2017 Operating Budget, p. 328.

<sup>216</sup> See deposition of Brad Gessner dated December 3, 2018, pp. 101:7-102:6 and Exhibit 8.

<sup>217</sup> See deposition of Brad Gessner dated December 3, 2018, p. 157:8-18.

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**b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the Prosecutor's Office between 2006 and 2018, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

Table V.D.3-1 is a summary of expenditures and key metrics of the Prosecutor's Office for the period 2006 through 2018.

**Table V.D.3-1: Summary of Expenditures and Key Metrics**

Prosecutor's Office (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Δ (06-18)	% Δ (06-18)	CAGR (06-18)
Salaries	\$3.8	\$4.3	\$4.5	\$4.1	\$3.5	\$3.5	\$3.4	\$3.6	\$3.6	\$3.7	\$3.6	\$3.8	\$3.8	\$0.0	0.6%	0.1%
Benefits	\$1.1	\$1.2	\$1.4	\$1.4	\$1.3	\$1.2	\$1.2	\$1.3	\$1.3	\$1.4	\$1.4	\$1.4	\$1.3	\$0.2	20.0%	1.5%
Other Non-Compensation Costs	\$0.4	\$0.5	\$0.4	\$0.4	\$0.4	\$0.4	\$0.6	\$0.5	\$0.5	\$0.5	\$0.6	\$0.6	\$0.7	\$0.3	61.9%	4.1%
Total Costs	\$5.4	\$6.0	\$6.4	\$5.9	\$5.2	\$5.1	\$5.2	\$5.4	\$5.4	\$5.6	\$5.5	\$5.8	\$5.9	\$0.5	9.7%	0.8%
Compensation Costs (Salaries + Benefits)	\$4.9	\$5.5	\$5.9	\$5.5	\$4.8	\$4.7	\$4.6	\$4.9	\$4.9	\$5.1	\$5.0	\$5.2	\$5.2	\$0.2	5.0%	0.4%
Compensation Costs as % of Total Costs	91.8%	92.0%	93.2%	93.3%	92.8%	92.8%	89.2%	91.0%	91.4%	91.4%	89.8%	89.2%	87.8%	-3.9%		
FTEs (\$ Actual)	81	87	87	86	76	75	72	70	69	68	65	63	64	(18)	-21.8%	-2.0%
Average Salaries per FTE	\$46,828	\$49,460	\$51,877	\$47,365	\$46,287	\$46,416	\$47,814	\$51,258	\$51,832	\$55,006	\$55,785	\$59,844	\$60,254	\$13,425	28.7%	2.1%
Average Benefits per FTE	\$13,746	\$14,426	\$16,206	\$16,507	\$17,106	\$16,618	\$16,481	\$18,732	\$18,956	\$20,256	\$21,066	\$21,842	\$21,095	\$7,350	53.5%	3.6%
Average Compensation Costs per FTE	\$60,574	\$63,886	\$68,083	\$63,872	\$63,394	\$63,034	\$64,295	\$69,990	\$70,787	\$75,263	\$76,851	\$81,686	\$81,349	\$20,775	34.3%	2.5%
Criminal Cases Assigned/Arraigned	4,997	4,772	4,583	4,108	3,599	3,692	3,823	3,800	4,219	4,062	4,274			(723)	-14.5%	-1.6%
Juvenile - Delinquency & Unruly	6,381	6,067	5,595	4,973	4,150	3,527	3,465	2,965	2,850	2,953	2,944	2,476		(3,905)	-61.2%	-8.2%
Juvenile - Dependency/Neglect	1,276	1,207	1,025	980	915	858	805	832	843	915	1,062	1,022		(254)	-19.9%	-2.0%

*Note 1:* FTEs represents budgeted FTEs for 2006-2018.

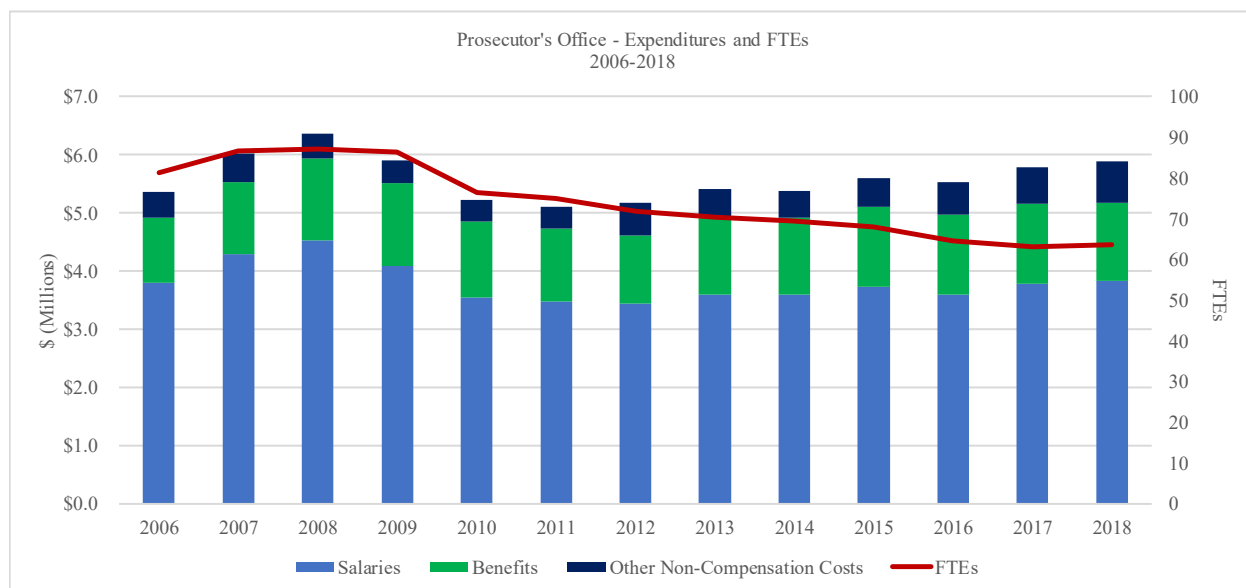
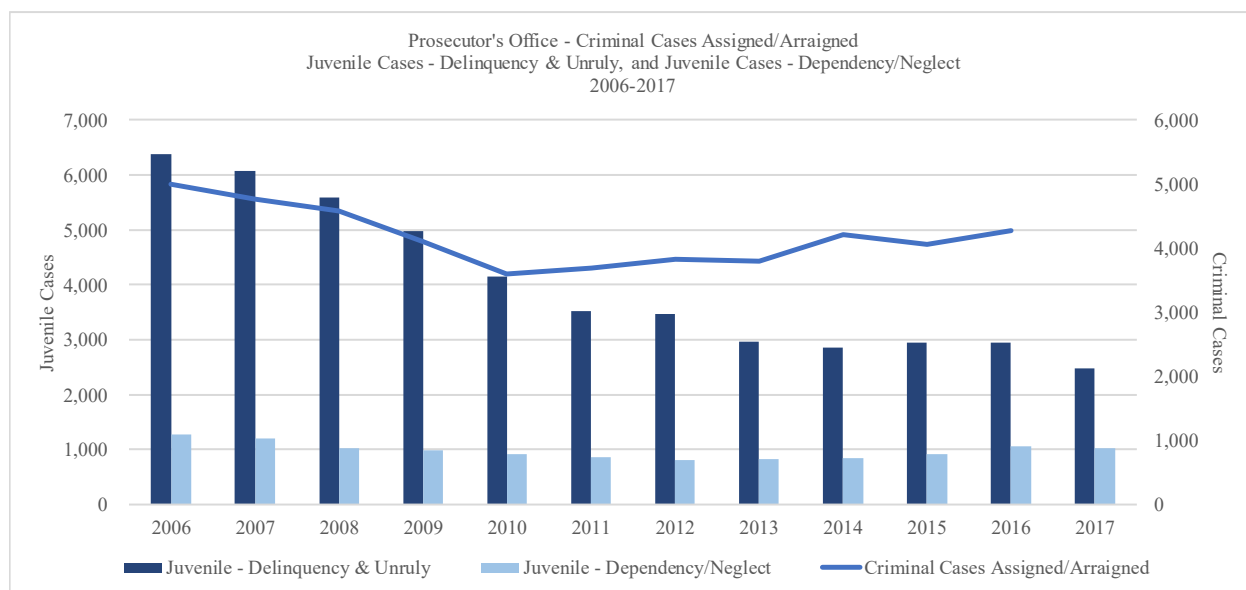
*Note 2:* Criminal case data was not available for 2017-2018. Juvenile case data was not available for 2018.

*Note 3:* Absolute change, percent change, and CAGR metrics for criminal/juvenile cases are calculated based on the years data was available.

*Sources:* SUMMIT\_002054603; Summit 2010, 2014, and 2018 Operating Budget; Court of Common Pleas 2006-2016 Annual Reports; Juvenile Court 2016-2017 Annual Reports.

These expenditures and key metrics are further exhibited in the graphs below:

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**Graph V.D.3-1: Expenditures and Budgeted FTEs****Graph V.D.3-2: Cases**

In my review of the expenditures and key metrics of the Prosecutor's Office, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2018, but increased overall by \$0.2 million (or 5.0%).



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- The CAGR of average compensation per FTE was 2.5%, which is slightly above the average inflation rate of state and local government employees' compensation of 2.4%.<sup>218</sup>
- There was a net decrease of 18 budgeted FTEs (or 21.8%) between 2006 and 2018.
- Criminal cases declined by 723 cases (or 14.5%) from 2006 to 2016.<sup>219</sup>
- Juvenile Delinquency & Unruly cases declined by 3,905 cases (or 61.2%) from 2006 to 2017.
- Juvenile Dependency/Neglect cases declined by 254 cases (or 19.9%) from 2006 to 2017.

### **Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$0.2 million (or 5.0%) from 2006 to 2018 and represent 91.2% of total expenditures during the period.<sup>220</sup> The Prosecutor's Office has experienced hiring and personnel count challenges since 2007 due to reduced budgets and personnel leaving for "better paying jobs in both the public and private sectors."<sup>221</sup> The only increase in FTEs for the Prosecutor's Office occurred when the county expanded from eight to ten Common Pleas Courts sometime around 2007 or 2008. FTEs were then significantly reduced when the financial crisis hit in 2008/2009.<sup>222</sup> As a result, total budgeted FTEs have steadily declined since 2008 and have not recovered as budgets have remained stagnant except for standard pay raise increases.<sup>223,224</sup>

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<sup>218</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2018 – Series I.D. CIU3010000000000Q (Not Seasonally Adjusted).

<sup>219</sup> New Criminal Cases Filed also declined by 10.7% from 2006 to 2018 (4,821/5,400 -1 = -10.7%). See Court of Common Pleas 2006 and 2016 Annual Reports.

<sup>220</sup> See SUMMIT\_002054603.

<sup>221</sup> See Summit 2007 Operating Budget, pp. 263-268.

<sup>222</sup> See deposition of Brad Gessner dated December 3, 2018, pp. 178:12-179:11 and 240:1-242:14.

<sup>223</sup> See deposition of Brad Gessner dated December 3, 2018, p. 179:7-11.

<sup>224</sup> Additionally Mr. Nelsen testified the Prosecutor's Office has not added personnel because it is "restricted in funding because of the general fund restrictions" and there is a "lack of funding for it." (see 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, p. 160:11-19).

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I examined charges and case data for the Court of Common Pleas to determine if the Prosecutor's Office experienced any incremental costs related to opioids. Total criminal cases declined by 723 cases (or 14.5%) from 2006 to 2016. While charges and case data was not provided in the Court of Common Pleas Annual Reports for 2017 and 2018, the caseloads reported in the Summit County Operating Budgets for the Criminal Division during 2017 and 2018 remained just under 4,000 cases compared to 5,200 cases in 2006.<sup>225</sup> There was an increase in caseloads from 2006 to 2008 due to an initiative to resolve old cases;<sup>226</sup> however, the caseloads reported in the Summit County Operating Budget in 2018 were still less than reported caseloads in 2009 and 2010.<sup>227</sup>

Total Juvenile Delinquency & Unruly and Juvenile Dependency/Neglect cases declined by 3,905 and 254 cases (or 61.2% and 19.9%) from 2006 to 2017, respectively. Additionally, the Prosecutor's Office receives reimbursement from Title IV-E funding for time spent on Children Services cases in the Child Protection Unit.<sup>228</sup> Therefore, any costs related to Juvenile Dependency/Neglect cases are reimbursed.

Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

### **Other Non-Compensation Costs**

Non-compensation costs include "Contract Services," "Local Grant Match," and other non-compensation related accounts, such as supplies, fuel expense, and utilities. Non-compensation costs increased by \$0.3 million between 2006 and 2018 primarily due to an increase in an account titled "Other."<sup>229</sup> Based on the account descriptions and my review of the

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<sup>225</sup> See Summit 2008 Operating Budget, p. 287, Summit 2018 Operating Budget, p. 324, and Summit 2019 Operating Budget, p. 283.

<sup>226</sup> See deposition of Brad Gessner dated December 3, 2018, pp. 266:17-267:12.

<sup>227</sup> See Summit 2010 Operating Budget, p. 279 and deposition of Brad Gessner dated December 3, 2018, p. 268:9-21.

<sup>228</sup> See deposition of Brad Gessner dated December 3, 2018, pp. 286:23-287:12.

<sup>229</sup> See SUMMIT\_002054603.

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available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally.

#### **4. Court of Common Pleas**

The Summit County Court of Common Pleas (General Division) includes 10 Judges handling civil and criminal cases within Summit County. The Judges preside over felony criminal matters, probation, civil cases, mediation and alternative dispute resolution, foreclosures, and administrative appeals.<sup>230</sup> In addition, there are four specialty courts:<sup>231</sup>

- Turning Point Program (Felony Drug Court): Voluntary program for qualified, non-violent substance dependent offenders aimed at rehabilitating and helping offenders “transform in to positive, contributing community members.”<sup>232</sup>
- Re-Entry Court: A “collaborative effort between the Court of Common Pleas, Adult Probation Department, and Oriana House”<sup>233</sup> to provide participants with programming and supervision to “improve their chances of a successful transition to a law-abiding lifestyle.”<sup>234</sup>
- Domestic Violence Court: “[P]rovides services for domestic violence offenders and their victims through a combination of Intensive Supervision and victim support.”<sup>235</sup>
- Valor Court: This specialized docket provides services to veterans to help address substance abuse and military-related mental illness.<sup>236</sup>

The Court of Common Pleas is funded through the Summit County General Fund, Special Revenue Funds, and grants. Special Revenue Funds, such as the Special Projects Fund, Legal Research Fund, and Probation Services Fund, are used by the Court of Common Pleas to

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<sup>230</sup> See Summit 2018 Operating Budget, p. 369.

<sup>231</sup> See <http://www.summitpcourt.net/Programs/Pages/SpecialCourts.aspx>.

<sup>232</sup> See Court of Common Pleas 2016 Annual Report, pp. 31-32

<sup>233</sup> See Court of Common Pleas 2016 Annual Report, p. 32.

<sup>234</sup> See Court of Common Pleas 2016 Annual Report, p. 8.

<sup>235</sup> See <http://www.summitpcourt.net/Programs/DVCourt/Pages/DVCourt1.aspx>.

<sup>236</sup> See Court of Common Pleas 2016 Annual Report, p. 31.

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help support operational expenses.<sup>237</sup> The grants received by the Court of Common Pleas provide supplementary funding for the specialty dockets/courts.<sup>238,239</sup> My analysis focused on expenses funded through the General Fund.

The information I considered in my analysis of the Court of Common Pleas included, but was not limited to, the following:

- County budgets and CAFRs
- Accounting data from Summit County's Banner accounting system
- Court of Common Pleas annual reports
- Court of Common Pleas grant applications
- Court of Common Pleas charges and cases data
- Headcount data
- Depositions and exhibits of relevant personnel
- Publicly available information

#### **a) Identification of Direct Costs**

Based on my review of the available information, I did not identify any direct costs for the Court of Common Pleas, whether related either to prescription opioids or opioids generally. The only opioid specific program for the Court of Common Pleas was associated with the Turning Point Program and was administered by Oriana House. Per Jennifer Hawkins (Program Manager, Oriana House), this opioid specific program was funded through a grant enhancement in 2013 and is no longer an active program.<sup>240,241</sup> All other programs associated with the Turning Point Program are for all drug court clients and not specific to opioids.

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<sup>237</sup> See Summit 2019 Operating Budget, pp. 333-334.

<sup>238</sup> See SUMMIT\_002054603.

<sup>239</sup> For example, the Valor Court received funding from SAMHSA for service enhancements including case management and recovery coach services (see deposition of Jennifer Hawkins dated February 28, 2019, pp. 130:13-131:21).

<sup>240</sup> Ms. Hawkins testified that there was another opioid specific outpatient treatment program partially funded by a grant, but it was not specific to Turning Point clients, although some clients did participate in this program (see deposition of Jennifer Hawkins dated February 28, 2019, pp. 38:25-40:4, 40:19-41:9, and 42:7-20).

<sup>241</sup> See deposition of Jennifer Hawkins dated February 28, 2019, pp. 44:7-25, 45:21-46:4, and 150:3-12.

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**b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I identified no incremental costs specifically relating to prescription opioids for the Court of Common Pleas. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total incremental costs of \$467,259 for the Court of Common Pleas. My analysis of incremental costs is presented below.

Table V.D.4-1 is a summary of expenditures and key metrics of the Court of Common Pleas for the period 2006 through 2018.

**Table V.D.4-1: Summary of Expenditures and Key Metrics**

Court of Common Pleas (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Δ (06-18)	% Δ (06-18)	CAGR (06-18)
Salaries	\$3.3	\$3.3	\$3.4	\$3.8	\$3.5	\$3.5	\$3.4	\$3.7	\$3.9	\$4.0	\$3.9	\$4.0	\$4.1	\$0.8	22.7%	1.7%
Benefits	\$1.1	\$1.1	\$1.1	\$1.3	\$1.3	\$1.3	\$1.2	\$1.3	\$1.4	\$1.5	\$1.6	\$1.6	\$1.5	\$0.5	44.4%	3.1%
Attorney Fees	\$2.7	\$2.5	\$2.5	\$2.3	\$2.4	\$2.2	\$2.4	\$2.3	\$2.8	\$3.1	\$2.7	\$2.8	\$2.7	(\$0.0)	-0.9%	-0.1%
Other Non-Compensation Costs	\$1.1	\$1.0	\$0.9	\$0.9	\$0.4	\$0.5	\$0.5	\$0.5	\$0.5	\$0.5	\$0.5	\$0.5	\$0.4	(\$0.6)	-60.7%	-7.5%
Total Costs	\$8.1	\$7.9	\$8.0	\$8.4	\$7.6	\$7.5	\$7.5	\$7.9	\$8.5	\$9.0	\$8.6	\$8.8	\$8.7	\$0.6	6.8%	0.5%
Compensation Costs (Salaries + Benefits)	\$4.4	\$4.4	\$4.6	\$5.1	\$4.8	\$4.9	\$4.6	\$5.0	\$5.3	\$5.5	\$5.4	\$5.6	\$5.6	\$1.2	28.0%	2.1%
Compensation Costs as % of Total Costs	53.6%	55.7%	56.9%	60.8%	63.0%	64.9%	61.2%	64.1%	62.0%	60.4%	62.9%	63.1%	64.3%	10.7%		
FTEs	78	78	80	79	85	85	83	83	86	88	83	87		9	11.5%	1.0%
<b>(\$ Actual)</b>																
Average Salaries per FTE	\$42,405	\$42,903	\$42,710	\$48,024	\$40,765	\$41,742	\$40,451	\$45,144	\$45,481	\$45,270	\$46,406	\$46,208		\$3,803	9.0%	0.8%
Average Benefits per FTE	\$13,613	\$13,616	\$14,356	\$16,391	\$15,474	\$15,711	\$14,763	\$15,589	\$15,944	\$16,783	\$18,700	\$17,835		\$4,222	31.0%	2.5%
Average Compensation Costs per FTE	\$56,018	\$56,519	\$57,067	\$64,415	\$56,239	\$57,453	\$55,214	\$60,733	\$61,425	\$62,053	\$65,106	\$64,043		\$8,024	14.3%	1.2%
Criminal Cases Assigned/Arraigned	4,997	4,772	4,583	4,108	3,599	3,692	3,823	3,800	4,219	4,062	4,274			(723)	-14.5%	-1.6%
Total Common Pleas Cases	13,596	13,839	13,449	13,330	12,096	11,001	10,923	9,824	9,848	9,860	9,585			(4,011)	-29.5%	-3.4%

*Note 1:* Final FTE data was not available for 2018. Case data was not available for 2017-2018.

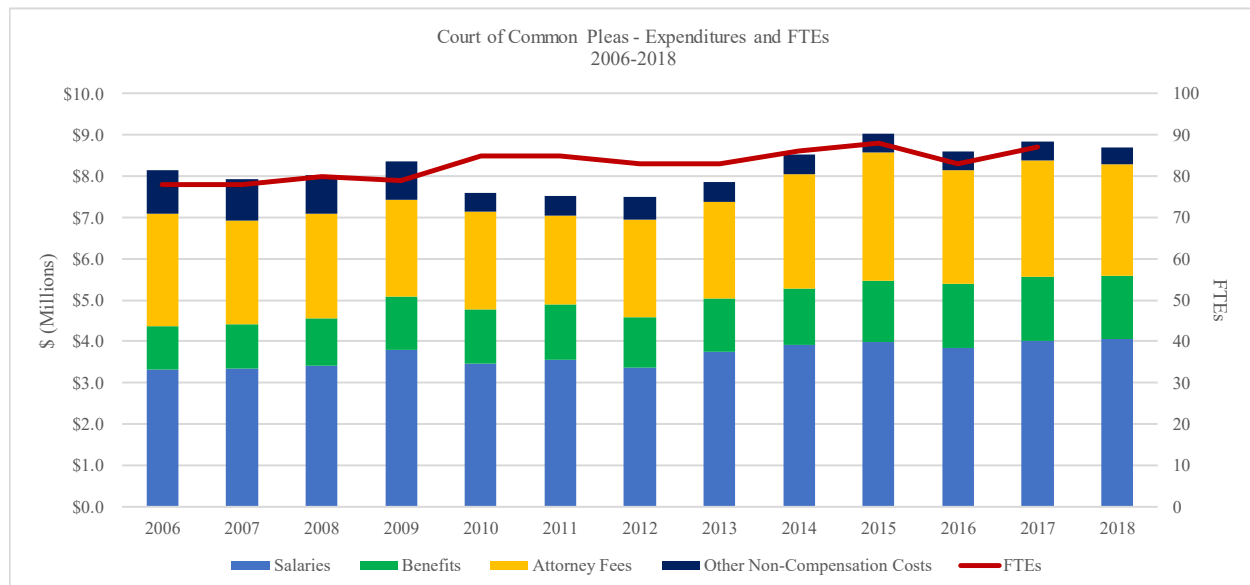
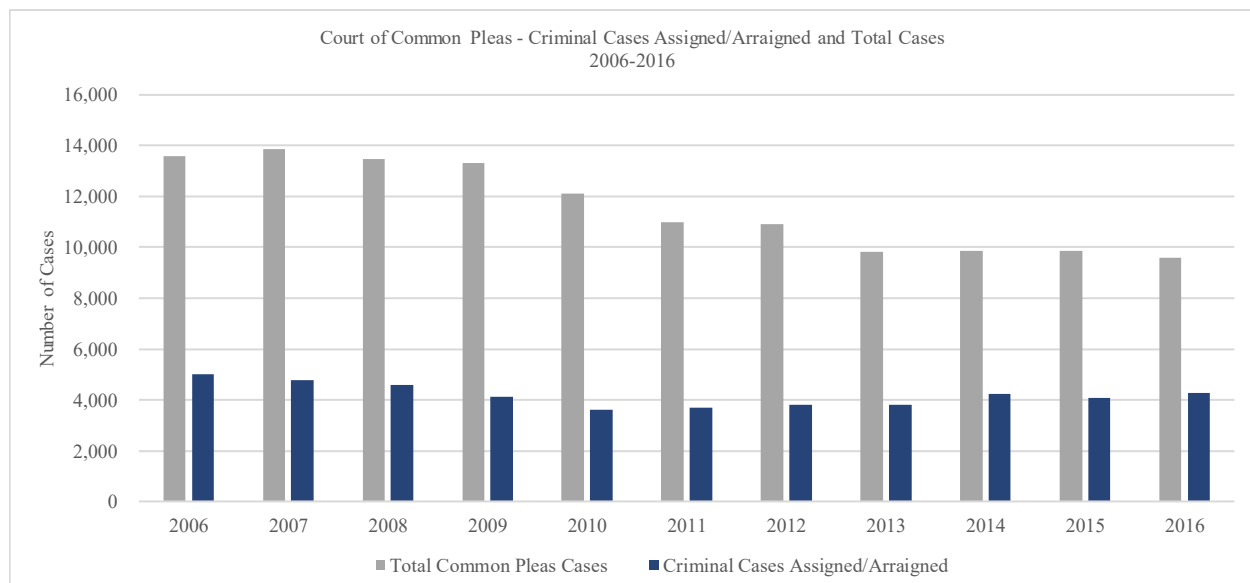
*Note 2:* Absolute change, percent change, and CAGR metrics for case data are calculated based on the years data was available.

*Note 3:* Total Common Pleas Cases is the sum of Criminal Cases Assigned/Arraigned and Total Civil Cases Filed in the Court of Common Pleas Annual Reports.

*Sources:* SUMMIT\_002054603; SUMMIT\_001952975; Court of Common Pleas 2006-2016 Annual Reports.

These expenditures and key metrics are further exhibited in the graphs below:

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**Graph V.D.4-1: Expenditures and FTEs****Graph V.D.4-2: Cases**

In my review of the expenditures and key metrics of the Court of Common Pleas, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2018, but increased overall by \$1.2 million (or 28.0%).

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- The CAGR of average compensation per FTE was 1.2% from 2006 to 2017, which is below the average inflation rate of state and local government employees' compensation of 2.4%.<sup>242</sup>
- Attorney Fees decreased by \$0.03 million (or 0.9%) from 2006 to 2018.
- Total FTEs fluctuated between 2006 and 2017, but increased overall by 9 FTEs (or 11.5%).
- Criminal cases declined by 723 cases (or 14.5%) from 2006 to 2016.<sup>243</sup>

### **Compensation Costs**

Total compensation costs increased by \$1.2 million (or 28%) from 2006 to 2018 and represent 61.0% of total expenditures during the period.<sup>244</sup> There was a net increase of 9 FTEs from 2006 to 2017. Five of the FTEs were administrative/overhead personnel and four were for non-overhead personnel.<sup>245</sup> The increase in non-overhead personnel included two Judges elected for terms beginning in 2009 and two courtroom bailiffs.<sup>246</sup> I did not identify any information which suggested the hiring of either Judge was related to the increase in drug cases, let alone prescription opioid or other opioid cases.<sup>247</sup> In fact, criminal cases declined over the considered

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<sup>242</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2018 – Series I.D. CIU3010000000000Q (Not Seasonally Adjusted).

<sup>243</sup> New Criminal Cases Filed also declined by 10.7% from 2006 to 2018 (see Court of Common Pleas 2006 and 2016 Annual Reports).

<sup>244</sup> See SUMMIT\_002054603.

<sup>245</sup> There was a change in the position title for 11 employees in 2014 from “Secretary II” to “Criminal Support Specialist,” but the specific employees remained the same (see SUMMIT\_001952975, Court of Common Pleas 2006-2016 Annual Reports, “Organization Personnel Roster” section).

<sup>246</sup> See SUMMIT\_001952975; Court of Common Pleas 2009 Annual Report, pp. 6 and 9, and Summit 2010 Operating Budget, p. 312.

<sup>247</sup> The two judges elected to the Summit County Court of Common Pleas for terms beginning in 2009 were Judge Lynne Callahan and Judge Allison McCarty who both work with domestic violence victims and participate in the Re-Entry Court Program (see Court of Common Pleas 2009 Annual Report, pp. 6 and 9).

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period. Therefore, based on my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

### Attorney Fees

Attorney Fees decreased by \$0.03 million (or 0.9%) from 2006 to 2018 and represent 31.4% of total expenditures during the period. This cost includes fees for attorneys who represent indigent defendants and fees for expert witnesses.<sup>248</sup> As mentioned, Attorney Fees decreased slightly from 2006 to 2018; however, Brian Nelsen (Director of Budget and Finance, Summit County) testified that an increase in indigent defense spending was one of the first indications of the opioid problem in Summit County.<sup>249</sup> Table V.D.4-2 is detail of attorney fees by felony type for 2006 through 2018 (as available).

**Table V.D.4-2: Attorney Fees by Felony Type**

Attorney Fees	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
F1							\$504,842	\$385,563	\$516,300	\$825,387	\$509,394	\$438,383	
F2							\$339,479	\$307,642	\$348,569	\$323,759	\$272,038	\$278,934	
F3							\$354,942	\$350,869	\$382,436	\$377,559	\$385,907	\$404,124	
F4							\$260,727	\$276,156	\$263,155	\$274,073	\$296,147	\$310,086	
F5							\$644,189	\$648,102	\$764,517	\$847,177	\$875,960	\$939,582	
Expert Fees							\$96,577	\$117,692	\$236,688	\$216,347	\$148,799	\$177,294	
Other							\$242,510	\$247,535	\$259,093	\$251,120	\$252,142	\$255,676	
<b>Total</b>	<b>\$2,712,602</b>	<b>\$2,511,704</b>	<b>\$2,522,543</b>	<b>\$2,346,687</b>	<b>\$2,361,874</b>	<b>\$2,164,135</b>	<b>\$2,443,265</b>	<b>\$2,333,559</b>	<b>\$2,770,758</b>	<b>\$3,115,421</b>	<b>\$2,740,387</b>	<b>\$2,804,080</b>	<b>\$2,687,094</b>

*Note 1:* Summit County began to track attorney fees by type in 2012 (*see* deposition of Brian Nelsen dated December 19, 2018, pp. 73:6-24 and 231:14-24).

*Note 2:* The 2012 and 2013 totals from Exhibit 7 to Brian Nelsen's deposition dated December 19, 2018 do not match the totals in the Banner Accounting System (SUMMIT\_002054603).

*Sources:* SUMMIT\_002054603; deposition of Brian Nelsen dated December 19, 2018, Exhibit 7.

As depicted above, total attorney fees declined from 2006 to 2009, remained relatively flat between 2009 and 2013, and increased beginning in 2014. While the Summit County 2015 Operating Budget indicated that payments to indigent defense counsel began to increase "greater than the corresponding increase in the caseload,"<sup>250</sup> Mr. Nelsen testified that the spending related to the Felony 5 ("F5") offenders "is primarily opiate related."<sup>251</sup> F5 offenders are those

<sup>248</sup> See deposition of Brian Nelsen dated December 19, 2018, pp. 227:25-229:8, Exhibit 6, and Exhibit 7.

<sup>249</sup> See deposition of Brian Nelsen dated December 19, 2018, pp. 231:8-24 and 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 196:16-22, and 197:25-198:13.

<sup>250</sup> See Summit 2015 Operating Budget, p. 323.

<sup>251</sup> See deposition of Brian Nelsen dated December 19, 2018, Exhibit 6.



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sentenced for less than one year and primarily include low-level drug offenses.<sup>252,253</sup> Therefore, I further examined the F5 Attorney Fees.

Mr. Nelsen's testimony is not supported by contemporaneous accounting, financial, or other records. However, in an effort to be conservative, I calculated the incremental increase in F5 attorney fees assuming the increase could be related to opioids. Table V.D.4-3 is my calculation of incremental Attorney Fees for the Court of Common Pleas.

**Table V.D.4-3: Incremental Attorney Fees**

<b>Incremental Costs</b>	<b>Avg. \$ (2012-2013)</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>Total (2014-2017)</b>
F5 Indigent Defense Spending	\$646,146	\$764,517	\$847,177	\$875,960	\$939,582	\$3,427,237
Incremental Costs		\$118,372	\$201,032	\$229,815	\$293,437	\$842,655
% County Funded		60.0%	54.7%	52.7%	56.3%	
<b>County-Funded Incremental Cost</b>		<b>\$71,023</b>	<b>\$109,897</b>	<b>\$121,036</b>	<b>\$165,303</b>	<b>\$467,259</b>

*Sources:* SUMMIT\_002054603; deposition of Brian Nelsen dated December 19, 2018, Exhibit 7; State of Ohio Public Defender - Reimbursement History for Purposes of Calculating Recoupment (<https://opd.ohio.gov/Portals/0/PDF/Reimbursement/Reimbursement-Percent-History.pdf?ver=2019-02-21-093626-180>).

My calculation of incremental costs is based on a baseline period of 2012 through 2013, as 2012 is the earliest year attorney fees by felony type is available, and fees did not increase until 2014. Each yearly incremental increase was then multiplied by a factor representing the percentage of those expenses funded by county revenues. This adjustment is necessary as I understand that the State of Ohio Public Defender reimburses counties for indigent defense spending.<sup>254</sup> In total, I calculated \$467,259 in incremental Attorney Fees for the Court of Common Pleas. My calculation is conservative considering not all attorney fees for F5 offenders related to opioids.

<sup>252</sup> See <http://codes.ohio.gov/orc/2929.14>.

<sup>253</sup> See deposition of Brian Nelsen 30(b)(6) dated January 24, 2019, pp. 162:5-163:12 and deposition of Gertrude Wilms, pp. 90:14-93:7.

<sup>254</sup> See Summit 2018 Operating Budget, p. 381 and <https://opd.ohio.gov/Reimbursement/Reimbursement#105161-application-fee--recoupment>.

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**Other Non-Compensation Costs**

Non-compensation costs include “Contract Services,” “Transcripts,” and other non-compensation related accounts, such as telephone and office service charges. Non-compensation costs decreased by \$0.6 million (or 60.7%) between 2006 and 2018. Based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally.

**5. Juvenile Court**

The Summit County Juvenile Court administers juvenile justice while also providing outreach, early intervention, community education, and other programs.<sup>255</sup> The Juvenile Court is comprised of three primary divisions:

- General Office: Develops programming for youth that come before the court and monitors the court’s detention and placement population. The Judge and Magistrates, with accompanying administrative personnel, are housed within this division.<sup>256, 257</sup>
- Intake/Probation: Gathers pertinent information regarding the youth’s background, family, demographics, and any other information that can be used in determining recommendations for disposition.<sup>258,259</sup>
- Detention Center: Consists of “seven main housing units plus two annex units” with the capacity to house 100 youth.<sup>260</sup>

All three of these divisions are funded, in part, by revenues from the Summit County General Fund, which represents county levy funds received by the Juvenile Court. The Juvenile Court also receives many external grants that provide funding for programs such as the Behavioral Health and Juvenile Justice Program, Jobs Re-Entry Program, the Family

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<sup>255</sup> See Summit 2018 Operating Budget, p. 403.

<sup>256</sup> See Summit 2018 Operating Budget, p. 404.

<sup>257</sup> The Summit County Operating Budget refers to this division as “Judicial/Admin.”

<sup>258</sup> See Juvenile Court 2017 Annual Report, Intake Department.

<sup>259</sup> The Summit County Operating Budget refers to this division as “Intake.”

<sup>260</sup> See Juvenile Court 2017 Annual Report, Detention Center.

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Reunification through Recovery Court, and more.<sup>261</sup> My analysis focused on expenses funded through the General Fund which is separately accounted for within the Banner accounting system.<sup>262</sup>

The information I considered in my analysis of the Juvenile Court included, but was not limited to, the following:

- County budgets and CAFRs
- Accounting data from Summit County's Banner accounting system
- Juvenile Court annual reports
- Headcount data
- Depositions and exhibits of relevant personnel
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I did not identify any direct costs for the Juvenile Court, whether related either to prescription opioids or opioids generally.

**b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I identified no incremental costs specifically relating to prescription opioids for the Juvenile Court. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total incremental costs of \$1,388,319 for the Juvenile Court. My analysis of incremental costs is presented below.

Table V.D.5-1 is a summary of expenditures and key metrics of the Juvenile Court for the period 2006 through 2018.

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<sup>261</sup> See Juvenile Court 2017 Annual Report, 2017 Additional Funding.

<sup>262</sup> See SUMMIT\_002054603.

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**Table V.D.5-1: Summary of Expenditures and Key Metrics**

Juvenile Court (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Δ (06-18)	% Δ (06-18)	CAGR (06-18)
Salaries (Excludes Overtime)	\$5.2	\$5.3	\$5.2	\$5.0	\$4.3	\$4.3	\$4.1	\$4.1	\$4.1	\$4.1	\$4.1	\$4.3	\$4.4	(\$0.8)	-14.8%	-1.3%
Overtime	\$0.2	\$0.2	\$0.2	\$0.1	\$0.2	\$0.2	\$0.3	\$0.2	\$0.3	\$0.4	\$0.4	\$0.4	\$0.5	\$0.3	210.8%	9.9%
Benefits	\$1.7	\$1.8	\$2.0	\$2.0	\$1.7	\$1.7	\$1.6	\$1.7	\$1.7	\$1.8	\$1.8	\$1.8	\$1.8	\$0.1	3.8%	0.3%
Attorney Fees	\$0.9	\$0.9	\$1.3	\$0.9	\$0.8	\$0.8	\$0.9	\$1.1	\$1.2	\$1.2	\$1.4	\$1.5	\$1.6	\$0.7	75.5%	4.8%
Other Non-Compensation Costs	\$1.1	\$1.2	\$1.2	\$1.1	\$1.3	\$1.3	\$1.3	\$1.3	\$1.3	\$1.2	\$1.3	\$1.2	\$1.1	(\$0.0)	-1.7%	-0.1%
<b>Total Costs</b>	<b>\$9.1</b>	<b>\$9.4</b>	<b>\$9.9</b>	<b>\$9.1</b>	<b>\$8.3</b>	<b>\$8.4</b>	<b>\$8.2</b>	<b>\$8.4</b>	<b>\$8.6</b>	<b>\$8.8</b>	<b>\$8.9</b>	<b>\$9.2</b>	<b>\$9.4</b>	<b>\$0.3</b>	<b>3.2%</b>	<b>0.3%</b>
Compensation Costs (Salaries + Overtime + Benefits)	\$7.0	\$7.3	\$7.4	\$7.0	\$6.1	\$6.3	\$5.9	\$6.1	\$6.1	\$6.3	\$6.3	\$6.4	\$6.7	(\$0.4)	-5.3%	-0.5%
Compensation Costs as % of Total Costs	77.5%	77.7%	75.0%	77.6%	73.9%	75.0%	72.2%	72.4%	70.9%	72.1%	70.3%	70.1%	71.1%	-6.4%		
FTEs <b>(\$ Actual)</b>	132	134	132	131	100	99	96	100	97	93	89	86	85	(47)	-35.9%	-3.6%
Average Salaries + Overtime per FTE	\$40,169	\$41,274	\$41,107	\$38,908	\$44,014	\$45,645	\$45,388	\$43,935	\$45,237	\$49,457	\$50,770	\$54,242	\$57,488	\$17,319	43.1%	3.0%
Average Benefits per FTE	\$12,983	\$13,448	\$15,040	\$14,904	\$17,098	\$17,606	\$16,255	\$16,783	\$17,635	\$19,037	\$19,619	\$21,015	\$21,023	\$8,040	61.9%	4.1%
Average Compensation Costs per FTE	\$53,152	\$54,721	\$56,147	\$53,812	\$61,111	\$63,251	\$61,643	\$60,719	\$62,873	\$68,494	\$70,390	\$75,258	\$78,511	\$25,359	47.7%	3.3%
Total Juvenile Cases	12,718	11,835	10,377	9,803	8,516	7,444	7,343	6,914	6,565	6,964	7,137	6,670		(6,048)	-47.6%	-5.7%
Dependency/Abuse/Neglect	1,276	1,207	1,025	980	915	858	805	832	843	915	1,062	1,022		(254)	-19.9%	-2.0%
Delinquency & Unruly	6,381	6,067	5,595	4,973	4,150	3,527	3,465	2,965	2,850	2,953	2,944	2,476		(3,905)	-61.2%	-8.2%

*Note 1:* FTEs represents budgeted FTEs for 2006-2018.

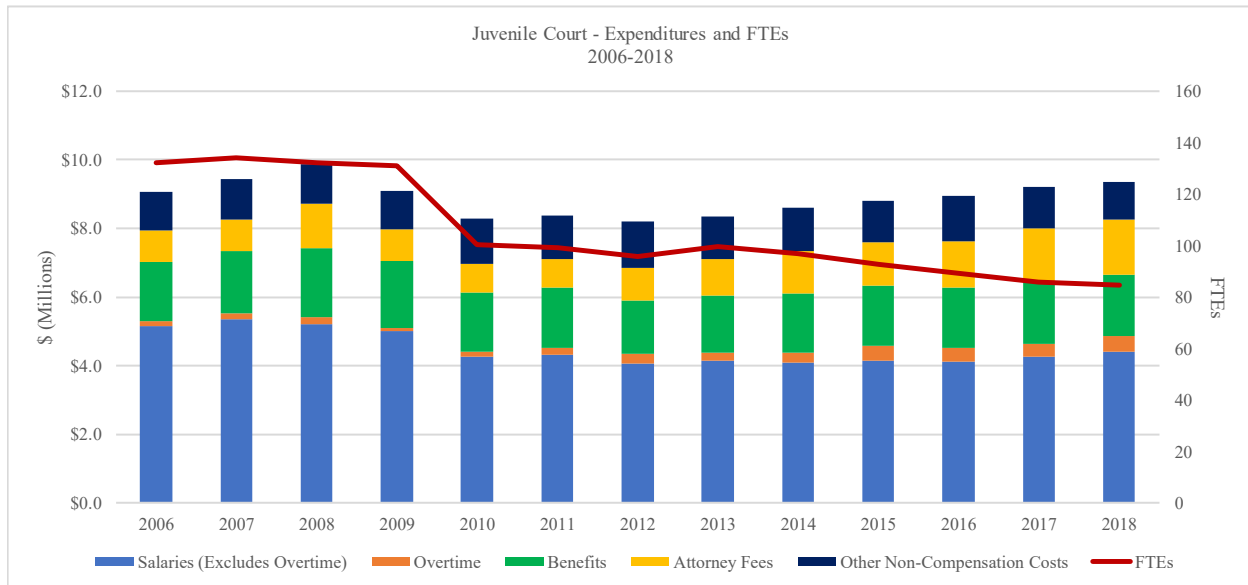
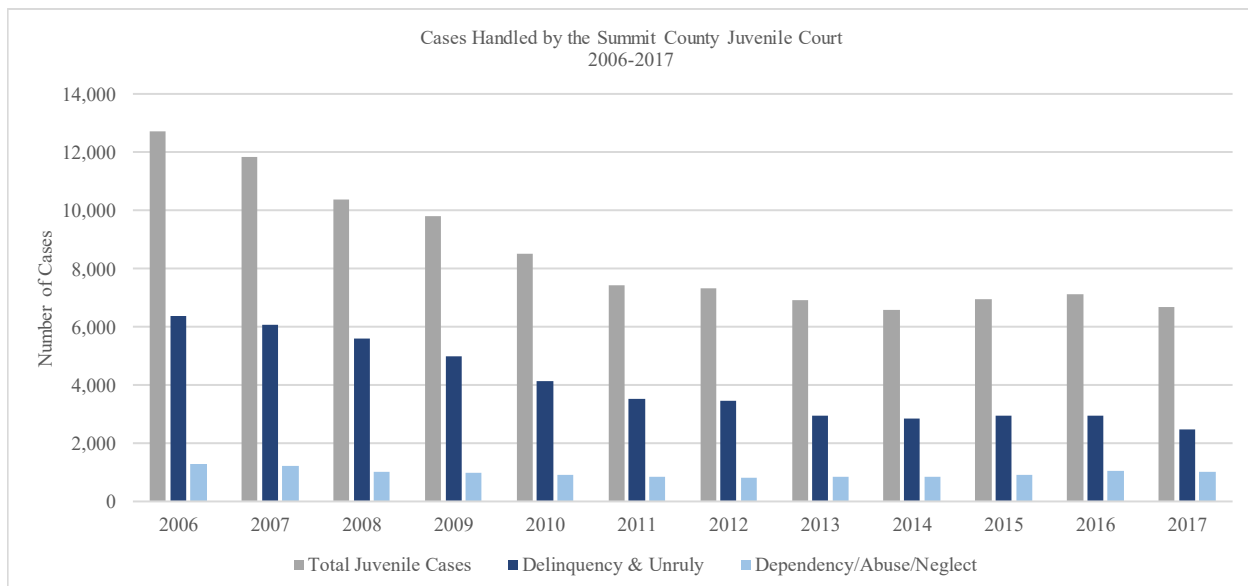
*Note 2:* Juvenile case data was not available for 2018.

*Note 3:* Absolute change, percent change, and CAGR metrics for juvenile case data are calculated based on the years data was available.

*Sources:* SUMMIT\_002054603; Juvenile Court 2016-2017 Annual Reports; Summit 2010, 2014, and 2018 Operating Budget.

These expenditures and key metrics are further exhibited in the graphs below:

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**Graph V.D.5-1: Expenditures and Budgeted FTEs****Graph V.D.5-2: Cases**

*Note:* Criminal (adult) cases are hidden in the 2017 Annual Report, but are included in the underlying totals.

In my review of the expenditures and key metrics of the Juvenile Court, I noted the following:

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- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2018, but decreased overall by \$0.4 million (or 5.3%).
- The CAGR of average compensation per FTE was 3.3%, which is above the average inflation rate of state and local government employees' compensation of 2.4%.<sup>263</sup>
- Attorney Fees increased by \$0.7 million (or 75.5%) from 2006 to 2018.
- There was a net decrease of 47 budgeted FTEs (or 35.9%) between 2006 and 2018.
- Total juvenile cases declined by 47.6% from 2006 to 2017. This reduction is due, in part, to efforts by the Juvenile Court to “investigat[e] methods to reach our youth either before they become Court-involved, or trace their behavior in hopes of discovering what impulses drove them toward the activity that brought them here.”<sup>264,265</sup>

The Juvenile Court also reports yearly statistics regarding the number and types of cases handled. Of the types of cases reported, I identified two which may potentially be related to opioids.<sup>266</sup>

- Delinquency and unruly: Cases involve any minor who violates the law, as well as minors who “do not subject themselves to the reasonable control” of authority.<sup>267</sup> The Juvenile Court Annual Reports provide statistics for felony and misdemeanor charges (which are assumed to fall under the Delinquency and Unruly case type), some of which are related to drug crimes.<sup>268</sup>

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<sup>263</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2018 – Series I.D. CIU301000000000Q (Not Seasonally Adjusted).

<sup>264</sup> See Juvenile Court 2010 Annual Report, p .2.

<sup>265</sup> Mr. Nelsen also testified that the Juvenile Court Judge “has a strong belief in alternative programming, so they tend not to hold very many kids in detention.” See 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, p. 165:21-25.

<sup>266</sup> Cutler also identified delinquency and unruly and dependency, abuse, and neglect as being “opioid-related” (see Cutler Report at Appendix III.F.2).

<sup>267</sup> See <https://juvenilecourt.summitoh.net/index.php/information/faq-definitions/frequently-asked-questions>.

<sup>268</sup> Drug crimes include “Possession of Drugs” and “Trafficking in Drugs” (see Juvenile Court 2015 Annual Report, Case Type by Gender and Juvenile Court 2016 Annual Report, Yearly Statistical Analysis of Charges).

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- Dependency, abuse, and neglect: Cases originate from Children Services investigations, where the court plays a role in ensuring the child has a “safe and permanent home.”<sup>269</sup>

As depicted in the Graph V.D.5-2 above, delinquency and unruly cases decreased between 2006 and 2014, remained relatively flat between 2014 and 2016, and then decreased again in 2017. The Juvenile Court provides a breakout of charge types for misdemeanors and felonies from 2014 through 2016 and drug related charges constitute a very small percentage of overall charges. As such, there are no incremental increases in the number of the delinquency and unruly cases due to prescription or general opioid abuse.

Dependency, abuse, and neglect cases decreased overall between 2006 and 2014 and then increased between 2014 and 2017, although not back to the 2006 level. The Plaintiffs did not produce any information which would allow me to determine if these cases related to opioid abuse. However, since these cases are related to activity in Children Services (which began reporting slight increases in custody due to the “opiate epidemic” in 2014),<sup>270</sup> I further analyzed whether the increase in dependency, abuse, and neglect cases affected compensation or other costs in the Juvenile Court.

### **Compensation Costs**

Total compensation costs decreased by \$0.4 million (or 5.3%) from 2006 to 2018 and represent 73.6% of total expenditures during the period.<sup>271</sup> There was a net decrease of 47 FTEs from 2006 to 2018. Therefore, any incremental increase in the number of dependency, abuse, and neglect cases seen by the Juvenile Court that might have been related to prescription or other opioids did not result in additional hires.<sup>272</sup>

Although total compensation costs (salaries and benefits) decreased between 2006 and 2018, overtime increased starting in 2014. While Plaintiffs have not produced any pay records,

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<sup>269</sup> See <https://juvenilecourt.summitoh.net/index.php/information/faq-definitions/frequently-asked-questions>.

<sup>270</sup> See Children Services October 2014 Board Meeting Minutes (SUMMIT\_002058485 at 00205820).

<sup>271</sup> See SUMMIT\_002054603.

<sup>272</sup> See deposition of Brian Nelsen dated January 24, 2019, p. 166:11-24.

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overtime data, or case files that would allow me to perform any further analysis, I calculated the incremental increase in overtime costs assuming these costs could be related to the slight increase in dependency, abuse, and neglect cases from 2014 to 2017, which in turn could have been related to opioids (see Table V.D.5-2 below).

### **Attorney Fees**

Attorney Fees increased by \$0.7 million (or 75.5%) from 2006 to 2018 and represent 12.7% of total expenditures during the period.<sup>273</sup> Based on testimony of Mr. Nelsen, these amounts relate to indigent defense fees paid by the Juvenile Court and increased as a result of the opioid epidemic.<sup>274</sup> However, Mr. Nelsen acknowledged indigent defense fees are not tracked by case type and could relate to any of the cases seen by the Juvenile Court.<sup>275</sup> Additionally, Mr. Nelsen's testimony is not supported by contemporaneous accounting, financial, or other records. However, in an effort to be conservative, I calculated the incremental increase in Attorney Fees assuming these fees could also be related to the slight increase in dependency, abuse, and neglect cases from 2014 to 2017, which in turn could have been related to opioids.

Table V.D.5-2 is my calculation of incremental Attorney Fees and overtime Costs for the Juvenile Court.

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<sup>273</sup> See SUMMIT\_002054603.

<sup>274</sup> See deposition of Brian Nelsen dated January 24, 2019, p. 166:1-4.

<sup>275</sup> See deposition of Brian Nelsen dated December 19, 2018, pp. 70:9-72:14.



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**Table V.D.5-2: Incremental Attorney Fees and Overtime Costs**

<b>Incremental Costs</b>	<b>Avg. \$ (2012-2014)</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Total (2015-2018)</b>
Account: Attorney Fees	\$1,078,815	\$1,248,021	\$1,352,011	\$1,544,202	\$1,600,034	\$5,744,269
Incremental Costs - Attorney Fees		169,206	273,196	465,387	521,219	1,429,009
% County Funded		54.7%	52.7%	56.3%	56.9%	
County-Funded Incremental Costs - Attorney Fees		\$92,499	\$143,883	\$262,168	\$296,621	\$795,172
Account: Overtime	\$278,612	\$432,470	\$402,432	\$395,212	\$477,482	\$1,707,596
Incremental Costs - Overtime		153,857	123,820	116,600	198,870	593,147
% County Funded		100.0%	100.0%	100.0%	100.0%	
County-Funded Incremental Costs - Overtime		\$153,857	\$123,820	\$116,600	\$198,870	\$593,147
<b>Total Incremental Costs</b>		<b>\$246,357</b>	<b>\$267,703</b>	<b>\$378,768</b>	<b>\$495,491</b>	<b>\$1,388,319</b>

*Sources:* SUMMIT\_002054603; State of Ohio Public Defender - Reimbursement History for Purposes of Calculating Recoupment (<https://opd.ohio.gov/Portals/0/PDF/Reimbursement/Reimbursement-Percent-History.pdf?ver=2019-02-21-093626-180>).

My calculation of incremental costs is based on a baseline period of 2012 through 2014 since dependency, abuse, and neglect cases heard in the Juvenile Court originate from Children Services and beginning in 2014, the Children Services' Board Meeting Minutes mentioned slight increases in custody due to the "opiate epidemic."<sup>276</sup> Each yearly incremental increase was then multiplied by a factor representing the percentage of those expenses funded by county revenues. This adjustment is necessary as I understand that the State of Ohio Public Defender reimburses counties for indigent defense spending.<sup>277</sup> In total, I calculated \$1,388,319 in incremental Attorney Fees and overtime costs for the Juvenile Court. My calculation is conservative considering not all dependency, abuse, and neglect cases related to parental opioid abuse.

### **Other Non-Compensation Costs**

Non-compensation costs include "Contract Services," "Medical Fees," and other non-compensation related accounts, such as supplies, telephone, and office service charges. Non-compensation costs remained flat between 2006 and 2018. Based on the account descriptions

<sup>276</sup> See Children Services October 2014 Board Meeting Minutes (SUMMIT\_002058485 at 00205820).

<sup>277</sup> See Summit 2018 Operating Budget, p.381 and <https://opd.ohio.gov/Reimbursement/Reimbursement#105161-application-fee--recoupment>. Reimbursement for the Juvenile Court (while not explicitly stated in the Juvenile Court budget discussion) was confirmed through review of General Fund revenue accounts: "Defense of Indigent" and "Juvenile Atty Fee Reimbursement" in the Summit County Banner accounting system (see SUMMIT\_002054603).

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and my review of the available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally.

## **6. Sheriff's Office – Operations Division**

The Summit County Sheriff's Office is comprised of two main divisions: (1) Operations Division and (2) Corrections Division. The Sheriff's Office is also responsible for Special Events such as community events and Sheriff's awards. This section of my report addresses the Operations Division. The next section of my report addresses the Corrections Division (i.e., County Jail).

The Operations Division is funded through the Summit County General Fund, grants, and Special Revenue Funds. The grants received by the Operations Division provide funding for programs such as the Drug Unit, D.A.R.E. (Drug Abuse Resistance Education), and the OVI Task Force (Operating a Vehicle Impaired).<sup>278</sup> Special Revenue Funds represent payments received for contracted services provided to local cities and townships, fees generated from services such as foreclosure services, and fees for a variety of training programs.<sup>279</sup> For example, the Patrol Bureau, which is responsible for patrolling and responding to calls for service is an example of services reimbursed by Special Revenue Funds. This activity is funded by The Police Rotary fund, which is a Special Revenue Fund based on the contract services provided to and reimbursed by townships in the county.<sup>280</sup> Accordingly, I have not included activities supported by this fund in my analysis.

My analysis focused on expenses funded through the General Fund which is separately accounted for within the Banner accounting system.<sup>281</sup> Based on my review of the Summit County budgets and accounting data, I determined the services funded by the General Fund

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<sup>278</sup> See Sheriff's Office 2017 Annual Report, p. 13.

<sup>279</sup> See Sheriff's Office 2017 Annual Report, p. 13.

<sup>280</sup> See Summit 2019 Operating Budget, p. 10.

<sup>281</sup> See SUMMIT\_002054603.

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primarily consist of administrative personnel<sup>282</sup> and the Court Services Bureau.<sup>283</sup> The Court Services Bureau consists of deputies who serve judges in the Court of Common Pleas and are “primarily responsible to transport prisoners to and from the jail and other specified facilities.”<sup>284</sup>

The information I considered in my analysis of the Operations Division included, but was not limited to, the following:

- County budgets and CAFRs
- Accounting data from Summit County’s Banner accounting system
- Sheriff’s Office annual reports
- Drug Unit annual reports
- Sheriff’s Office grant applications
- Arrest and drug seizure data
- Headcount data
- Depositions and exhibits of relevant personnel
- Publicly available information

#### **a) Identification of Direct Costs**

Based on my review of the available information, I identified total direct costs of \$166,667 related to prescription opioids for the Operations Division.<sup>285</sup> As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total direct costs of \$281,034 for the Operations Division.<sup>286,287</sup> These

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<sup>282</sup> The Fiscal and Personnel Bureaus are part of the Sheriff-General Office. See Summit 2018 Operating Budget, pp 268-320.

<sup>283</sup> It is possible that a small number of deputies assigned to the Investigative Bureau are included in the General Office, but the budgets nor annual reports are clear to the division of labor.

<sup>284</sup> See Summit 2018 Operating Budget, p. 270.

<sup>285</sup> See Appendix 5 – Summit County Direct Costs.

<sup>286</sup> See Appendix 5 – Summit County Direct Costs.

<sup>287</sup> Therefore, my total direct costs related to prescription and general opioids for the Operations Division is \$447,701.

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direct costs for prescription and general opioids related to cash matches for Summit County Drug Unit grants for the years 2013 to 2018. As of 2018, the Summit County Drug Unit receives two grants,<sup>288</sup> the Edward Byrne Memorial Justice Assistant Grant (“JAG”) and the Ohio Drug Law Enforcement (“DLEF”) Grant. JAG helps fund the portion of the Drug Unit Commander’s salary which is not covered by the Ohio DLEF grant.<sup>289</sup> The Ohio DLEF grant is used to “maintain rent of the task force’s current or future facilities” as well as pay for salaries and benefits,<sup>290</sup> overhead expenses, contract services, for fuel and maintenance costs of vehicles, and for travel and training of the Drug Unit’s investigators.<sup>291</sup>

The Ohio DLEF grant was enacted in 2008,<sup>292</sup> but detailed grant applications prior to award year 2013 were not provided to me. The first project objective for the 2013 grant stated,<sup>293</sup>

The proliferation of pain management clinics and access to home medicine cabinets has increased availability and diversion of dangerous narcotics into our community. Our state has become a focal point for a national epidemic of prescription drug abuse, especially addictive pain medications such as oxycodone and hydrocodone. The task force will target and indict individuals and or organizations associated with the illegal sale of prescription medications in Summit County.

The grant application for award year 2014 had similar project objectives; however, beginning in June 2015, the focus changed to respond to heroin, and prescription opioids was no

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<sup>288</sup> The Summit County Drug Unit is also funded through HIDTA, which assists with funding of overtime, equipment, training, intelligence analysis, and event de-confliction (see Sheriff’s Office 2017 Annual Report, p. 34 and Dept. of Public Safety 1748 (at 1793), Dept. of Public Safety 1863 (at 1889), Dept. of Public Safety 1956 (at 2049)).

<sup>289</sup> See Dept. of Public Safety 1748 (at 1793), Dept. of Public Safety 1863 (at 1889), Dept. of Public Safety 1956 (at 2049), Dept. of Public Safety 2623 (at 2685), and deposition of Matthew Paolino dated December 5, 2018, pp. 42:10-43:1 and 154:3-22.

<sup>290</sup> The grant pays for the remainder of the commander’s salary not covered by JAG as well as the salary of the administrative assistant and the deputy/property officer (see the production related to the Department of Public Safety Response to Subpoena, January 3, 2019, p. 2711 and deposition of Matthew Paolino dated December 5, 2018, pp. 42:16-43:1, 154:9-22).

<sup>291</sup> See Dept. of Public Safety 1748 (at 1781).

<sup>292</sup> See Drug Unit 2009 Annual Report, p.2.

<sup>293</sup> See Dept. of Public Safety 1748 (at 1777).

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longer a project objective.<sup>294</sup> In later years, heroin was not listed specifically as a project objective but was still considered one of the main threats to the county, along with fentanyl.<sup>295</sup> Therefore, \$166,667 of these identified direct costs are specific to prescription opioids, and \$281,034 are regarding opioids generally.<sup>296</sup>

I have not identified any other direct costs related to prescription or general opioids. While I am aware of Sheriff's Office initiatives, such as the Quick Response Teams and the DUMP (Dispose of Unwanted Medications Properly) Program,<sup>297</sup> Plaintiffs have not produced any information or data that would enable me to quantify any additional costs incurred, such as overtime costs or personnel hires for these programs. I also identified documents that indicate such program costs are paid for by grants or other agencies and would not be a cost borne by the county.<sup>298,299</sup>

#### **b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the Operations Division between 2006 and 2018, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

Table V.D.6-1 is a summary of expenditures and key metrics of the Operations Division for the period 2006 through 2018.

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<sup>294</sup> See SUMMIT\_000017769.

<sup>295</sup> Dept. of Public Safety 2436 (at 2487) and Dept. of Public Safety 2623 (at 2670), and Drug Unit 2013 Annual Report, p. 6.

<sup>296</sup> See Appendix 5 – Summit County Direct Costs.

<sup>297</sup> The Summit County Sheriff's Office has partnered with the QRT Program since its inception and provides deputy staff for teams in patrol districts of Coventry Township and the City of Green. The City of Green refers to their QRT as the GO team (Green Outreach) (see Sheriff's Office 2017 Annual Report, p. 22).

<sup>298</sup> The DEA runs the large collection days for the DUMP program and helps pay for the boxes and disposal. There are boxes located around the county that the ADM Board pays for and the drug unit will help collect and dispose of some of the local boxes (see deposition of Matthew Paolino dated December 5, 2018, pp. 136:13-140:3).

<sup>299</sup> The Ohio Drug Law Enforcement grant states that the Summit County Drug Unit joined in collaboration with the Federal Bureau of Investigation to dedicate two detectives for immediate response to accidental overdose deaths. Additionally, "the Federal Bureau of Investigation has applied for additional funding to cover expenses relating to the overdose investigations" (see the production related to the Department of Public Safety Response to Subpoena, January 3, 2019, pp. 2489 and 2672).

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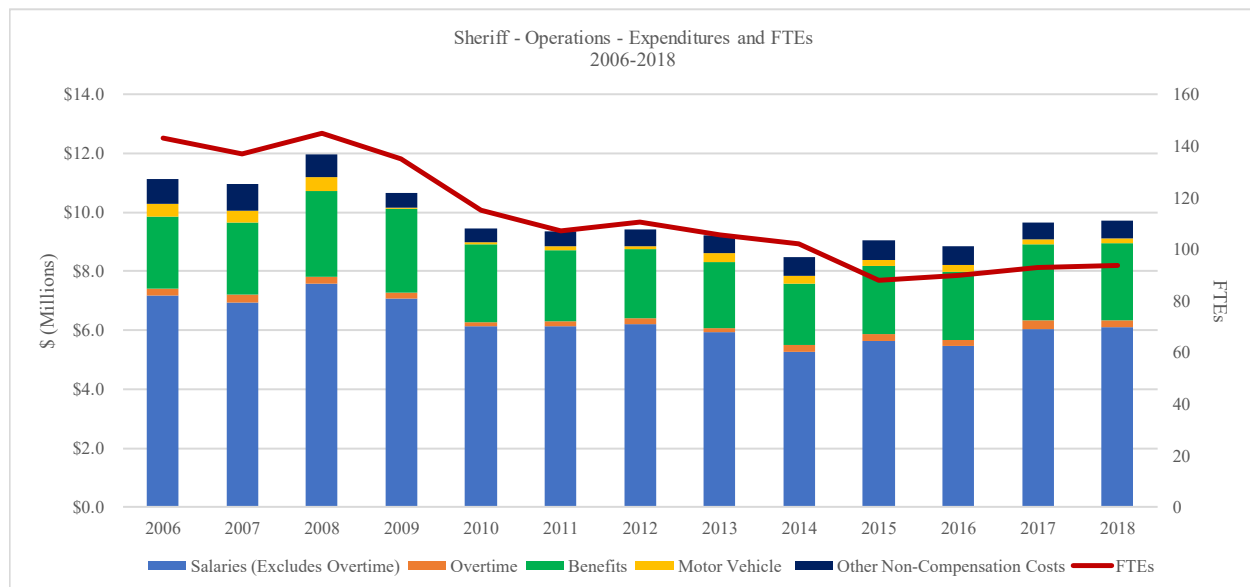
**Table V.D.6-1: Summary of Expenditures and Key Metrics**

Sheriff - Operations (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Δ (06-18)	% Δ (06-18)	CAGR (06-18)
Salaries (Excludes Overtime)	\$7.2	\$6.9	\$7.6	\$7.1	\$6.1	\$6.2	\$6.2	\$5.9	\$5.3	\$5.6	\$5.5	\$6.0	\$6.1	(\$1.0)	-14.6%	-1.3%
Overtime	\$0.2	\$0.3	\$0.2	\$0.2	\$0.1	\$0.1	\$0.2	\$0.2	\$0.2	\$0.2	\$0.2	\$0.3	\$0.2	(\$0.0)	-1.9%	-0.2%
Benefits	\$2.5	\$2.5	\$2.9	\$2.9	\$2.6	\$2.4	\$2.3	\$2.2	\$2.1	\$2.3	\$2.3	\$2.6	\$2.6	\$0.1	5.5%	0.4%
Motor Vehicle	\$0.4	\$0.4	\$0.5	\$0.0	\$0.1	\$0.1	\$0.1	\$0.3	\$0.3	\$0.2	\$0.2	\$0.2	\$0.2	(\$0.2)	-56.1%	-6.6%
Other Non-Compensation Costs	\$0.8	\$0.9	\$0.8	\$0.5	\$0.5	\$0.5	\$0.6	\$0.6	\$0.6	\$0.7	\$0.7	\$0.6	\$0.6	(\$0.3)	-31.8%	-3.1%
Total Costs	\$11.1	\$11.0	\$12.0	\$10.7	\$9.5	\$9.3	\$9.4	\$9.2	\$8.5	\$9.0	\$8.9	\$9.7	\$9.7	(\$1.4)	-12.8%	-1.1%
Compensation Costs (Salaries + Overtime + Benefits)	\$9.9	\$9.7	\$10.7	\$10.1	\$8.9	\$8.7	\$8.8	\$8.3	\$7.6	\$8.2	\$8.0	\$8.9	\$9.0	(\$0.9)	-9.3%	-0.8%
Compensation Costs as % of Total Costs	88.7%	88.2%	89.6%	95.0%	94.4%	93.5%	92.8%	90.2%	89.5%	90.5%	90.1%	92.2%	92.2%	3.5%		
FTEs (\$ Actual)	143	137	145	135	115	107	111	106	102	88	90	93	94	(49)	-34.4%	-3.5%
Average Salaries + Overtime per FTE	\$51,707	\$52,640	\$53,792	\$53,884	\$54,563	\$58,850	\$57,875	\$57,550	\$53,747	\$66,713	\$63,162	\$68,045	\$67,648	\$15,941	30.8%	2.3%
Average Benefits per FTE	\$17,267	\$17,923	\$20,183	\$21,099	\$23,024	\$22,731	\$21,167	\$21,137	\$20,436	\$26,390	\$25,663	\$27,774	\$27,780	\$10,513	60.9%	4.0%
Average Compensation Costs per FTE	\$68,974	\$70,563	\$73,975	\$74,983	\$77,588	\$81,581	\$79,042	\$78,687	\$74,183	\$93,103	\$88,824	\$95,819	\$95,428	\$26,454	38.4%	2.7%

Note: FTEs represents budgeted FTEs for 2006-2018.

Sources: SUMMIT\_002054603; Summit 2010, 2014, and 2018 Operating Budget.

These expenditures and key metrics are further exhibited in the graph below:

**Graph V.D.6-1: Expenditures and Budgeted FTEs**

In my review of the expenditures and key metrics of the Operations Division, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2018, but decreased overall by \$0.9 million (or 9.3%).

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- The CAGR of average compensation per FTE was 2.7%, which is slightly above the average inflation rate of state and local government employees' compensation of 2.4%.<sup>300</sup>
- Motor Vehicle Fuel/Repair costs decreased by \$0.2 million (or 56.1%) from 2006 to 2018.
- There was a net decrease of 49 budgeted FTEs (or 34.4%) between 2006 and 2018.

### **Compensation Costs**

Total compensation costs (salaries and benefits) decreased by \$0.9 million (or 9.3%) from 2006 to 2018 and represent 91.3% of total expenditures during the period.<sup>301</sup> The Operations Division experienced hiring and personnel count challenges beginning in 2008 as a result of staffing cuts due to the financial crisis, a county wide hiring freeze, and other budget cuts.<sup>302</sup> Headcount steadily decreased between 2008 and 2015 and then began to slightly recover as budget pressures eased. Therefore, based on my review of the available information, I determine there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

### **Motor Vehicle Fuel/Repair Costs**

Motor Vehicle Fuel/Repair costs is the only potentially affected non-compensation cost funded by the General Fund. This account does not exhibit a consistent pattern, but decreased 56.1% from 2006 to 2018. As previously described, the Patrol Bureau is not funded by the General Fund, so any fuel and repair expense for the patrol cars related to the policing contracts are accounted for in a separate cost category and funded by non-county funds. Prisoner transports account for the majority of motor vehicle use funded by the County. However, the Operations Division has not experienced increases in prison transports between 2006 and 2017. Table V.D.6-2 and Graph V.D.6-2 is detail of prisoner transports from 2006 to 2017.

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<sup>300</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2018 – Series I.D. CIU3010000000000Q (Not Seasonally Adjusted).

<sup>301</sup> See SUMMIT\_002054603.

<sup>302</sup> See deposition of Shane Barker dated November 28, 2018, pp. 12-17 and Exhibit 1, and Summit 2014 Operating Budget, pp. 36-37.

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Additionally, total prisoner transports from 2003-2005 averaged 15,115 per year,<sup>303</sup> which is in line with total 2017 transports. Therefore, based on my review of the available information, I determine there were no incremental increases in Motor Vehicle Fuel/Repair costs related to prescription opioids or opioids generally.

**Table V.D.6-2: Detail of Prisoner Transports**

<b>Prisoner Transports</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
To/From Correctional Institutions	2,461	2,186	1,806	1,769	1,821	1,562	1,646	1,557	1,999	2,118	1,998	1,904
To/From Juvenile Facilities	280	262	293	250	207	210	211	233	252	228	229	204
Common Pleas Court	9,644	9,403	9,262	8,312	7,497	8,271	9,186	9,730	9,329	9,302	10,590	10,384
Other Destinations / Local Facilities / Other County Jails	704	217	967	917	1,084	460	252	399	308	261	421	240
New Prisoners From Court	640	476	727	651	1,037	885	592	724	840	619	862	666
Prisoner Transports - Subtotal	13,729	12,544	13,055	11,899	11,646	11,388	11,887	12,643	12,728	12,528	14,100	13,398
Closed Circuit Television (CCTV)	2,683	2,996	2,153	1,902	1,805	1,906	2,627	2,306	1,872	1,838	2,091	1,977
<b>Total</b>	<b>16,412</b>	<b>15,540</b>	<b>15,208</b>	<b>13,801</b>	<b>13,451</b>	<b>13,294</b>	<b>14,514</b>	<b>14,949</b>	<b>14,600</b>	<b>14,366</b>	<b>16,191</b>	<b>15,375</b>

*Note 1:* Although movement of inmates arraigned via Closed Circuit Television (CCTV) only occurs within the jail, civilian staff assigned to this unit are responsible for scheduling the hearings, so the transports related to CCTV have been included in our analysis. Even without those figures, prisoner transports are relatively flat and decreased overall from 2006 to 2017.

*Note 2:* Total amount for 2006, 2010, and 2017 differs from the source file. Totals do not add correctly in the source file.

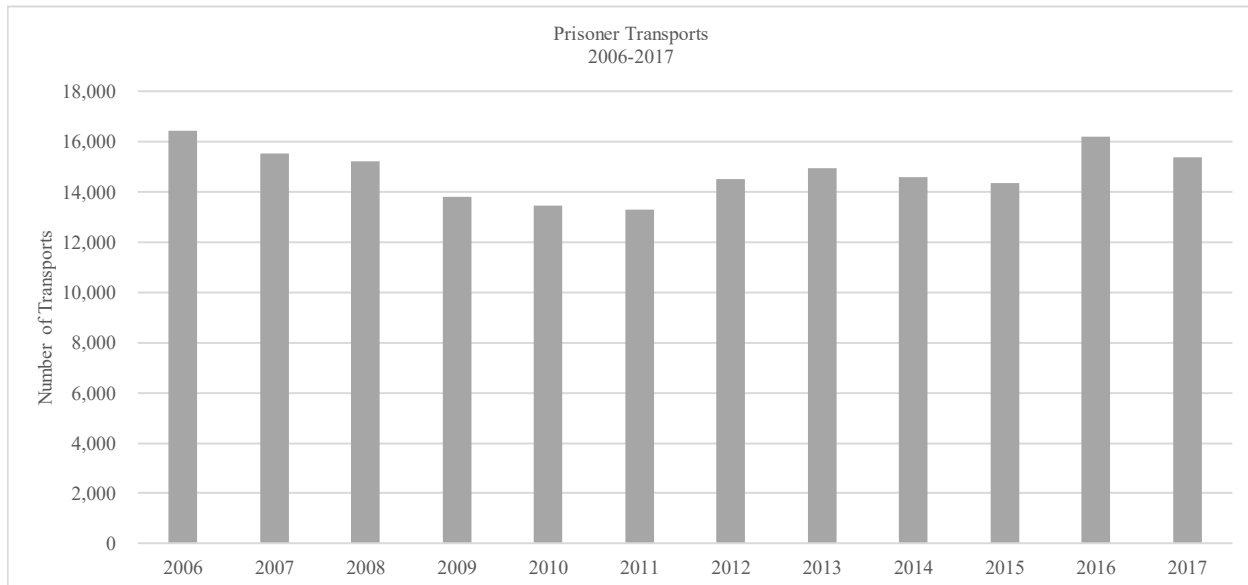
*Note 3:* In years where Annual Reports for the Sheriff's Office were unavailable, those for the Court of Common Pleas were used instead.

*Sources:* Sheriff's Office 2006-2007, 2009, and 2013-2017 Annual Reports; Court of Common Pleas 2008 and 2010-2012 Annual Reports.

<sup>303</sup> See Sheriff's Office 2003 Annual Report, p. 31, Sheriff's Office 2004 Annual Report, p. 33, and Sheriff's Office 2005 Annual Report, p. 34.



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**Graph V.D.6-2: Prisoner Transports****Other Non-Compensation Costs**

Non-compensation costs include “Contract Services,” “Local Grant Match,” and other non-compensation related accounts, such as supplies, telephone, and office service charges. Non-compensation costs decreased by \$0.3 million between 2006 and 2018. Based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally.

In addition, I reviewed the 35A drug incidents file produced by the Plaintiffs for the Sheriff’s Office from 1999 to 2017.<sup>304,305</sup> 35A drug violations include Ohio Offense Codes captured under the National Incident Based Reporting System (NIBRS) that relate to the “unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.”<sup>306</sup> While it is important to note that the majority of the services funded by the General Fund revenues are not related to patrol type

<sup>304</sup> See ODPS-002-0000001, ODPS-002-0000004, and SUMMIT\_000064914.

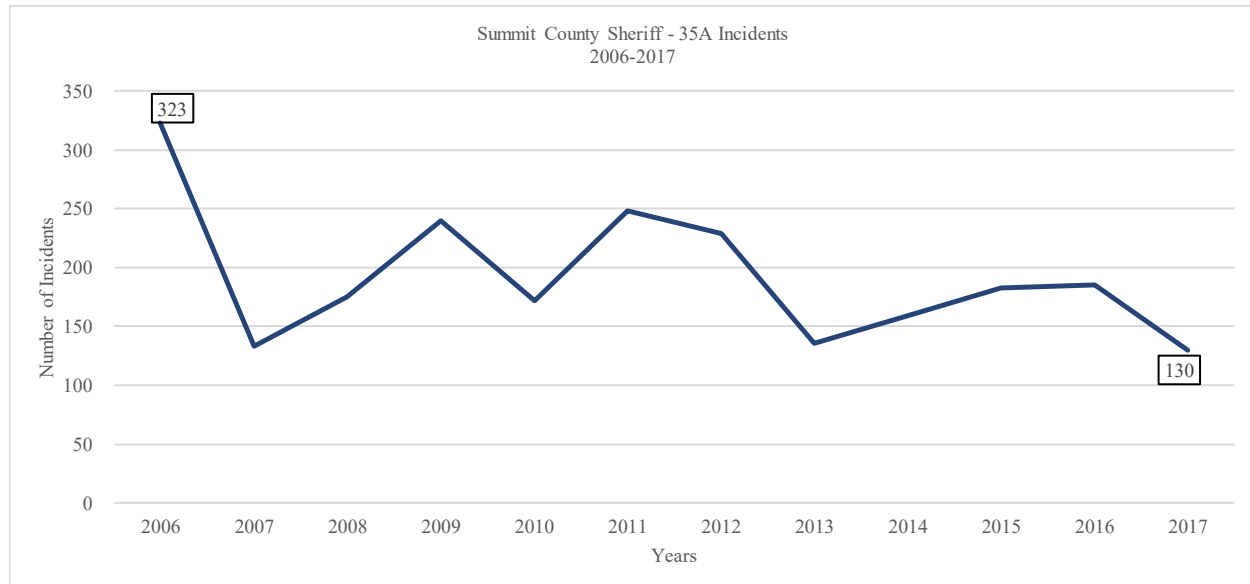
<sup>305</sup> I am aware that Cutler used NIBRS charge data in analysis of his drug-related % of crimes, but the data produced by Plaintiffs does not match Cutler’s data; therefore, I have used the information specifically produced for the litigation in this analysis.

<sup>306</sup> See Office of Criminal Justice Services, Ohio Incident Based Reporting System, Data Collection and Submission Specifications, March 2017, Appendix B – NIBRS Codes and Definitions.

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activities, I did note that 35A drug incidents varied significantly from year to year, but declined by 193 incidents from 2006 to 2017.<sup>307</sup> Graph V.D.6-3 depicts the 35A drug incidents from 2006 to 2017.

**Graph V.D.6-3: 35A Drug Incidents**



Source: SUMMIT\_000064914.

Based on the above and my review of the available information, I determined there were no incremental increases in the costs for the Operations Division related to prescription opioids or opioids generally.

## **7. Sheriff's Office – Corrections Division**

The Corrections Division of the Summit County Sheriff's Office is responsible for the County Jail Operations, Records and Identification Bureau, Concealed Carry Registration, Inmate Services, Support Services, Jail Population Control, Medical and Mental Health Services, and the Glenwood Jail.<sup>308,309</sup> The County Jail opened in August 1990 with a capacity of 402

<sup>307</sup> There were 323 incidents related to 35A drug violations in 2006 and only 130 in 2017 (see ODPS-002-0000001, ODPS-002-0000004, and SUMMIT\_000064914).

<sup>308</sup> See Sheriff's Office 2017 Annual Report, pp. 41-52.

<sup>309</sup> I am aware that there has been recent testimony stating that the Glenwood Jail is being repurposed into a Community Alternative Sentencing Center solely run by Oriana House, and that the deputies who were at Glenwood

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inmates. Through multiple expansions and adding double bunked cells, the current capacity is 743 inmates.<sup>310</sup> The County Jail is a full-service detention center operating 24 hours a day, 365 days a year.<sup>311</sup>

The County Jail is funded through the General Fund and Special Revenue Funds. Special Revenue Funds include fees related to the purchase of commissary by inmates and from the charges for phone calls made by inmates.<sup>312</sup> My analysis focused on expenses funded through the Summit County General Fund, which is separately accounted for within the Banner accounting system.<sup>313</sup>

The information I considered in my analysis of the County Jail included, but was not limited to, the following:

- County budgets and CAFRs
- Accounting data from Summit County's Banner accounting system
- Sheriff's Office annual reports
- Sheriff's Office grant applications
- Headcount data
- Medication Assisted Treatment data
- Depositions and exhibits of relevant personnel
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I identified no direct costs related to prescription opioids for the County Jail. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid

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Jail have been moved back to Summit County Jail (see 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 167:9-22 and 172:11-20).

<sup>310</sup> See Sheriff's Office 2017 Annual Report, p. 44.

<sup>311</sup> See Summit 2019 Operating Budget, p. 232.

<sup>312</sup> These two Special Revenue Funds are the Inmate Welfare Fund and the Inmate Phone Commission (see Summit 2018 Operating Budget, pp. 293-301).

<sup>313</sup> See SUMMIT\_002054603.

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abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total direct costs of \$237,990 for the County Jail.<sup>314</sup> Based on testimony of Mr. Barker, the County Jail incurred additional costs related to opioid abuse including the purchase of a body scanner in 2017, increased staff training on pat-downs, and initiation of the immediate changing of women prisoners when they enter the County Jail.<sup>315</sup>

Regardless of the fact that the body scanner scans for all contraband (i.e., drugs and weapons),<sup>316</sup> I attempted to identify this cost in the documents available to me. Based on the accounting data, the repairs and equipment expenditures for the County Jail do not reflect a purchase of equipment in 2017.<sup>317</sup> However, I was able to identify legislation passed by the Summit County Council for the purchase of the SecurPass body scanner for \$237,990.<sup>318,319</sup>

The additional trainings on pat-downs that were implemented in the last couple of years are internal trainings involving the sergeants of the jail and security staff, and it is part of the on-job training for new deputies.<sup>320</sup> I reviewed the division accounting records and noted that no expenses have been booked to Training Expense. It appears that these additional trainings were conducted internally by existing staff and did not result in any additional cost.

Additionally, Brian Nelsen testified the County Jail approved the hiring of five new inmate service workers in 2018 in response to the overcrowding and jail population

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<sup>314</sup> See Appendix 5 – Summit County Direct Costs.

<sup>315</sup> See deposition of Shane Barker dated November 28, 2018, pp. 111:9-18, 114:12-115:7, 237:10-240:2, and 304:11-305:6.

<sup>316</sup> See Sheriff's Office 2017 Annual Report 2017, p. 4 and deposition of Shane Barker dated November 28, 2018, p. 244:7-10.

<sup>317</sup> See SUMMIT\_002054603.

<sup>318</sup> See <https://council.summitoh.net/index.php/legislative-information/legislation/2017/finish/131/8689>.

<sup>319</sup> Notes from Mr. Liebman's interview with Captain Barker on July 31, 2018 indicated that the body scanner equipment cost \$250,000 plus an annual cost of \$25,000 for maintenance and training. However, Captain Barker testified in November 2018 that he wouldn't know anything about the costs for additional trainings or any other opioid-related costs incurred by the Jail (see deposition of Shane Barker dated November 28, 2018, pp. 192:7-25, 227:18-228:4, 236:15-21, and 241:2-15).

<sup>320</sup> See deposition of Shane Barker dated November 28, 2018, pp. 237:10-239:4.

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challenges.<sup>321</sup> Mr. Nelsen did not identify a specific cost for these additional employees but stated that they would be paid with “[c]ounty general fund dollars.”<sup>322</sup> I reviewed the accounting data and budgets to determine if I could identify any such hires made in 2018 and/or expense related to these additional employees. The total budgeted jail employee count actually declined from 2017 to 2018; and specifically, inmate service workers declined by two personnel in 2018.<sup>323</sup> There is also nothing in the accounting data for 2018 that would indicate five additional resources were hired. Therefore, whether or not these hires were approved in 2018 as Mr. Nelsen testified, it does not appear that any such hires were actually made in 2018.

Any other direct costs identified by Summit County personnel, such as medically assisted treatment for prisoners, are provided through either a grant with the Summit County ADM Board<sup>324</sup> or through the contracted medical provider, Advanced Correctional Healthcare,<sup>325</sup> and therefore, are not costs borne by the county.

#### **b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the County Jail between 2006 and 2018, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

Table V.D.7.1 is a summary of expenditures and key metrics of the County Jail for the period 2006 through 2018.

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<sup>321</sup> See 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 167:2-172:24.

<sup>322</sup> See 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, p. 172:21-24.

<sup>323</sup> See Summit 2018 Operating Budget 2018, p. 276.

<sup>324</sup> See SUMMIT\_001970930, Sheriff’s Office 2016 Annual Report, p. 49, and deposition of Shane Barker dated November 28, 2018, pp. 275:2-276:1 and Exhibit 16.

<sup>325</sup> See deposition of Shane Barker dated November 28, 2018, pp. 149:8-150:11 and 212:15-214:5.

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**Table V.D.7.1: Summary of Expenditures and Key Metrics**

County Jail (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	A (06-18)	% A (06-18)	CAGR (06-18)
Salaries (Excludes Overtime)	\$12.3	\$12.8	\$13.1	\$12.7	\$11.3	\$11.6	\$11.1	\$11.1	\$11.4	\$11.9	\$11.8	\$11.9	\$12.1	(\$0.2)	-1.7%	-0.1%
Overtime	\$0.2	\$0.2	\$0.2	\$0.2	\$0.2	\$0.2	\$0.3	\$0.5	\$0.7	\$0.5	\$0.9	\$0.9	\$1.1	\$1.0	642.4%	18.2%
Benefits	\$4.2	\$4.5	\$4.8	\$5.0	\$5.1	\$4.7	\$4.3	\$4.3	\$4.6	\$4.9	\$5.0	\$5.1	\$5.1	\$0.9	22.4%	1.7%
Contract Services	\$2.5	\$3.0	\$2.9	\$3.1	\$3.0	\$2.8	\$2.7	\$2.9	\$3.0	\$3.1	\$3.1	\$3.2	\$3.1	\$0.5	20.7%	1.6%
Other Non-Compensation Costs	\$0.9	\$1.0	\$0.8	\$0.8	\$0.7	\$0.5	\$0.4	\$0.6	\$0.5	\$0.6	\$0.7	\$0.4	\$0.5	(\$0.4)	-45.8%	-5.0%
<b>Total Costs</b>	<b>\$20.1</b>	<b>\$21.4</b>	<b>\$21.7</b>	<b>\$21.8</b>	<b>\$20.1</b>	<b>\$19.8</b>	<b>\$18.9</b>	<b>\$19.3</b>	<b>\$20.2</b>	<b>\$21.0</b>	<b>\$21.5</b>	<b>\$21.5</b>	<b>\$21.9</b>	<b>\$1.8</b>	<b>9.1%</b>	<b>0.7%</b>
Compensation Costs (Salaries + Overtime + Benefits)	\$16.6	\$17.4	\$18.1	\$17.9	\$16.5	\$16.5	\$15.7	\$15.9	\$16.6	\$17.3	\$17.7	\$17.9	\$18.3	\$1.7	10.3%	0.8%
Compensation Costs as % of Total Costs	82.9%	81.4%	83.3%	82.0%	81.8%	83.1%	83.2%	82.1%	82.3%	82.6%	82.5%	83.3%	83.8%	0.9%		
FTEs	254	266	262	249	198	206	209	205	202	212	208	209	206	(48)	-18.9%	-1.7%
<b>(\$ Actual)</b>																
Average Salaries + Overtime per FTE	\$48,967	\$48,674	\$50,760	\$51,895	\$57,669	\$57,237	\$54,741	\$56,495	\$59,804	\$58,743	\$61,026	\$61,233	\$64,141	\$15,174	31.0%	2.3%
Average Benefits per FTE	\$16,489	\$16,792	\$18,334	\$19,965	\$25,582	\$22,987	\$20,554	\$20,985	\$22,595	\$23,175	\$24,166	\$24,529	\$24,894	\$8,405	51.0%	3.5%
Average Compensation Costs per FTE	\$65,456	\$65,466	\$69,094	\$71,860	\$83,251	\$80,224	\$75,295	\$77,479	\$82,399	\$81,918	\$85,192	\$85,762	\$89,035	\$23,579	36.0%	2.6%
Average Daily Jail Census	688	649	663	622	610	621	644	642	639	636	680	717		29	4.2%	0.4%
Prisoner Bookings	15,352	14,835	14,882	14,564	14,078	12,954	12,279	11,802	11,318	11,563	12,603	11,667		(3,685)	-24.0%	-2.5%
Prisoner Releases	15,290	14,925	14,727	14,738	13,928	13,020	12,252	11,837	11,333	11,496	12,581	11,852		(3,438)	-22.5%	-2.3%

*Note 1:* FTEs represents budgeted FTEs for 2006-2018.

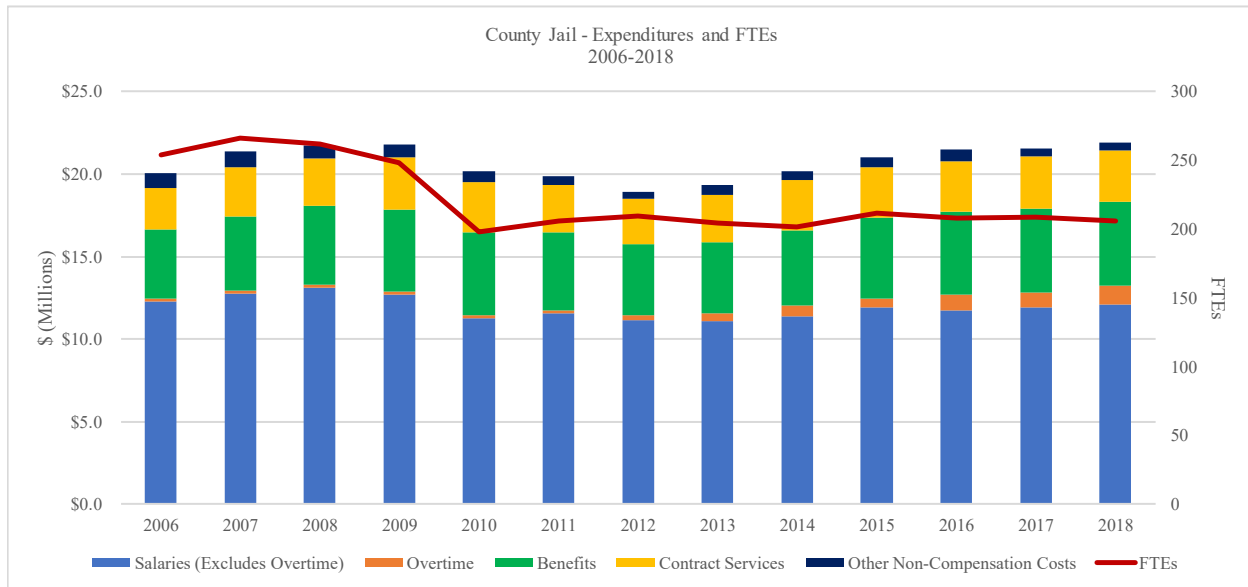
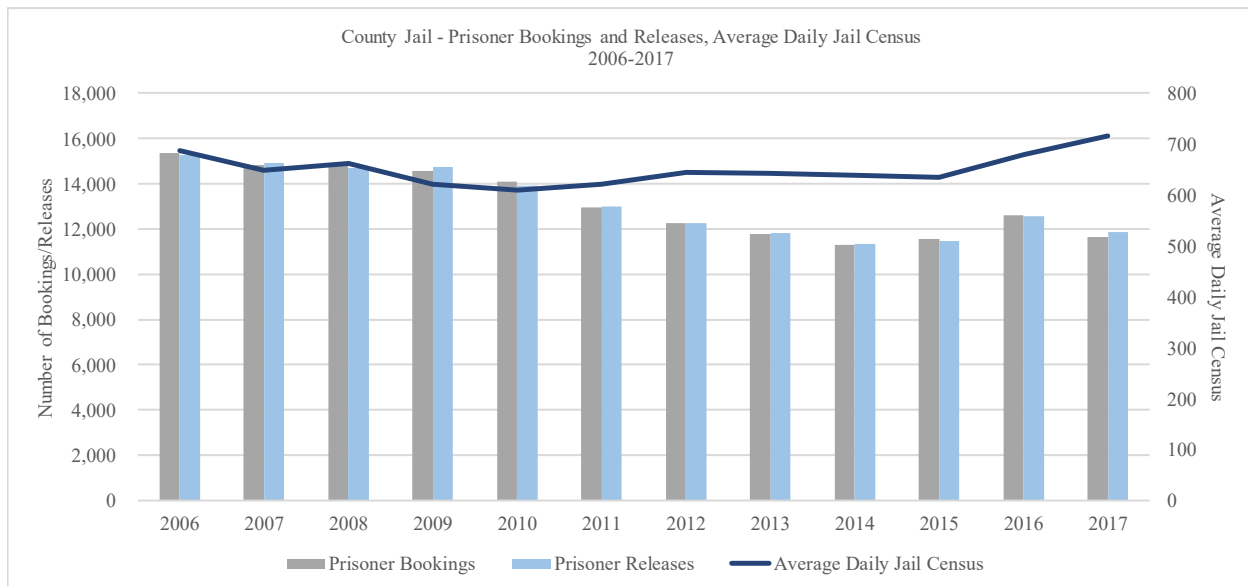
*Note 2:* Daily jail census data and prisoner bookings/release data was not available for 2018.

*Note 3:* Absolute change, percent change, and CAGR metrics for average daily jail census and prisoner bookings/releases are calculated based on the years data was available.

*Sources:* SUMMIT\_002054603; Summit 2010, 2014, and 2018 Operating Budget; Summit County 2007 and 2017 CAFR.

These expenditures and key metrics are further exhibited in the graphs below:

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**Graph V.D.7-1: Expenditures and Budgeted FTEs****Graph V.D.7-2: Daily Jail Census and Prisoner Bookings/Releases**

In my review of the expenditures and key metrics of the County Jail, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2018, but increased overall by \$1.7 million (or 10.3%).

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- The CAGR of average compensation per FTE was 2.6%, which is slightly above the average inflation rate of state and local government employees' compensation of 2.4%.<sup>326</sup>
- Contract Services costs increased by \$0.5 million (or 20.7%) from 2006 to 2018.
- There was a net decrease of 48 budgeted FTEs (or 18.9%) between 2006 and 2018.
- The average daily jail census increased by only 4.2% from 2006 to 2017, while prisoner bookings declined by 24.0% over the same period.

### **Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$1.7 million (or 10.3%) from 2006 to 2018 and represent 82.6% of total expenditures during the period.<sup>327</sup> The nature of the county jail operations is heavily dependent on personnel. Salaries and benefits per employee have increased from 2006 to 2018, but the increases appear to be related to standard pay increases (the CAGR of average compensation per FTE was 2.6%).

The county jail experienced decreases in FTEs following the financial crisis and resulting budget cuts.<sup>328</sup> Overcrowding is a recurrent and long standing issue, predating the opioid crisis, and has been a challenge for the County Jail for decades.<sup>329</sup> By 2007, county officials had explored several options to reduce crowding including, "court orders, double-bunking, and six consultant studies over fifteen years."<sup>330</sup> The County Jail has not returned to pre-recession staffing levels, and a portion of the County Jails had to be closed in 2015 due to insufficient staffing levels.<sup>331</sup>

These overcrowding issues and the persistent shortage of staff pre-date 2006 and are unrelated to efforts by the county related to opioid abuse. I nonetheless examined overtime

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<sup>326</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2018 – Series I.D. CIU3010000000000Q (Not Seasonally Adjusted).

<sup>327</sup> See SUMMIT\_002054603.

<sup>328</sup> See deposition of Shane Barker dated November 28, 2018, pp. 12-17 and Exhibit 1.

<sup>329</sup> See Sheriff's Office 2007 Annual Report, p. 26.

<sup>330</sup> See Sheriff's Office 2007 Annual Report, p. 26.

<sup>331</sup> See Sheriff's Office 2017 Annual Report, p. 44.



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expenses between 2006 and 2018 to determine if there was any overtime attributable to prescription opioids or opioids generally. However, this does not appear to be the case. While the current jail population at the end of 2017 was the highest it has been, prisoner bookings have been consistently declining since 2006. Also, as I stated previously, jail overcrowding has been a problem for the County Jail for decades.<sup>332</sup>

Additionally, I am aware of a State of Ohio program recently enacted in 2017<sup>333</sup> called Targeted Community Alternatives to Prison (“T-CAP”), that has been implemented in Summit County and paid for by grant funding<sup>334</sup> to reduce the number of low-level, non-violent, Felony 5 offenders in the County Jail.<sup>335</sup> Felony 5 offenders are those sentenced for less than one year<sup>336</sup> and primarily include low-level drug offenses.<sup>337</sup> The T-CAP program has allowed these offenders to be removed from the prison population,<sup>338</sup> and certain Felony 5 offenders are no longer eligible to serve sentences at Ohio Department of Rehabilitation and Correction (“DRC”) facilities.<sup>339</sup> Therefore, it would appear that any additions to the inmate population in recent years is not due to the low-level drug crimes in which the county and the City of Akron personnel have testified relate to the opioid population.<sup>340,341</sup>

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<sup>332</sup> See Sheriff’s Office 2007 Annual Report, p. 26.

<sup>333</sup> See <https://drc.ohio.gov/tcap> and <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-49>.

<sup>334</sup> See <https://drc.ohio.gov/tcap>, <http://www.akronlegalnews.com/editorial/19512>, and 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 162:5-163:12.

<sup>335</sup> See <https://drc.ohio.gov/tcap> and <http://www.akronlegalnews.com/editorial/19512>.

<sup>336</sup> See <http://codes.ohio.gov/orc/2929.14>.

<sup>337</sup> See 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 162:5-163:12 and deposition of Gertrude Wilms dated August 13, 2018, pp. 90:14-93:7.

<sup>338</sup> See <http://www.akronlegalnews.com/editorial/19512>.

<sup>339</sup> See 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, p. 162:15-23, 30(b)(6) deposition of Greta Johnson dated January 15, 2019, p.160:15-20, and <https://drc.ohio.gov/tcap>.

<sup>340</sup> See 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 162:5-163:12 and 167:9-168:5, and deposition of Gertrude Wilms dated August 13, 2018, pp. 90:14-93:7 and 97:1-13.

<sup>341</sup> The Plaintiffs produced closed case information for the Prosecutor’s Office; however, there is no way to discern what proportion of cases were ultimately sentenced to the County Jail and the data was filtered for only a certain subset of offenses (see SUMMIT\_000341980 and SUMMIT\_001505077).

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Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

### **Contract Services Costs**

Based on my review of the available information, Contract Services primarily consist of three County Jail contracts: (1) Advanced Correctional Healthcare (medical), (2) Aramark (food), and (3) Geauga County (outsourced inmate boarding).<sup>342</sup> These expenses make up approximately 14.3% of total General Fund expenses per year.<sup>343</sup> Contract Services has slightly increased since 2006, but this appears to be primarily due to the outsourced boarding contracts that began in 2016 as a result of the previously described staffing level challenges at the County Jail and from the medical contract increasing as Glenwood Jail was added in the fall of 2014.<sup>344</sup> Therefore, based on my review of the available information, I determined there were no incremental increases in Contract Services costs related to prescription opioids or opioids generally.

### **Other Non-Compensation Costs**

Non-compensation costs include “Motor Vehicle Fuel/Repair,” “Uniform Allowance,” and other non-compensation related accounts, such as supplies, telephone, and office service charges. Non-compensation costs decreased by \$0.4 million between 2006 and 2018. Based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally.

## **8. Alternative Corrections**

The Summit County Alternative Corrections division is comprised of a number of programs designed to reduce the overall jail population. The Alternative Corrections’ programs between 2006 and 2018 include:

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<sup>342</sup> See Summit 2012-2019 Operating Budgets and <https://www.ohio.com/article/20150711/NEWS/307119499>.

<sup>343</sup> See SUMMIT\_002054603.

<sup>344</sup> See <https://www.ohio.com/article/20150711/NEWS/307119499>, Summit 2015 Operating Budget, p. 275.

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- Day Reporting: Population served includes convicted felony, misdemeanor, traffic, and pre-trial offenders on probation who do not require secure confinement but require greater supervision than intensive supervision. Each offender is assessed utilizing the Ohio Risk Assessment System (“ORAS”).<sup>345</sup>
- Driver Intervention: Population served includes first time DUI misdemeanor offenders sentenced to a mandatory intervention program. The provider will conduct a substance abuse assessment to determine the degree of the offender’s chemical dependence.<sup>346</sup>
- Multiple Offender: Population served includes repeat DUI offenders and direct court placements into Glenwood Jail. The provider will conduct a substance abuse assessment to determine the degree of the offender’s chemical dependence.<sup>347</sup>
- Home Incarceration / Monitoring: Population served includes convicted felony, misdemeanor, traffic, and pre-trial offenders who require a high degree of monitoring, but do not require secure confinement. Services include electronic home monitoring.<sup>348</sup> Each offender is assessed utilizing the Ohio Risk Assessment System (“ORAS”).<sup>349</sup>
- Halfway House / Residential Community: Population served includes probation violators and offenders with 30-180 days remaining on prison sentence that qualify for release to residential community corrections. Each offender is assessed utilizing the ORAS.<sup>350</sup>
- Intensive Out Patient (“IOP”): Structured chemical dependency program that includes providing qualifying offenders with comprehensive assessments, education and treatment in an effort to deter criminal behavior.<sup>351</sup>

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<sup>345</sup> See Summit 2018 Operating Budget, p. 129.

<sup>346</sup> See Summit 2018 Operating Budget, p. 128.

<sup>347</sup> See Summit 2013 Operating Budget, p. 125 and SUMMIT\_002052845, p. 2.

<sup>348</sup> See Summit 2018 Operating Budget, p. 127.

<sup>349</sup> See SUMMIT\_002052845, p. 3.

<sup>350</sup> See Summit 2018 Operating Budget, p. 126.

<sup>351</sup> See SUMMIT\_002052845, p. 3 and Summit 2013 Operating Budget, p. 127.

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- Pre-Trial Services: Services include supervision of defendants to assure compliance with conditions of release from jail and bond requirements.<sup>352</sup>

These services are administered under a fixed-price Community Corrections Contract with a third-party private service provider, Oriana House. The contracts are set at the beginning of each year and are not to exceed pre-determined amounts.<sup>353</sup> The only General Fund expenditures related to the Alternative Corrections programs are the contract costs. There are no personnel or compensation costs.

The information I considered in my analysis of Alternative Corrections included, but was not limited to, the following:

- County budgets and CAFRs
- Accounting data from Summit County's Banner accounting system
- Documents related to the 2013, 2015, and 2018 Summit County Community Corrections Contracts
- Oriana House annual reports
- Depositions and exhibits of relevant personnel
- Publicly available information

#### **a) Identification of Direct Costs**

Based on my review of the available information, I did not identify any direct costs for Alternative Corrections, whether related either to prescription opioids or opioids generally.

#### **b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for Alternative Corrections between 2006 and 2018, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

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<sup>352</sup> See SUMMIT\_002052845, p. 2.

<sup>353</sup> See SUMMIT\_000013095.

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Table V.D.8.1 is a summary of expenditures and key metrics of Alternative Corrections for the period 2006 through 2018.

**Table V.D.8-1: Summary of Expenditures and Key Metrics**

Alternative Corrections (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	$\Delta$ (06-18)	% $\Delta$ (06-18)	CAGR (06-18)
Oriana House	\$5.0	\$5.3	\$5.5	\$5.9	\$5.7	\$5.7	\$5.3	\$5.4	\$5.5	\$5.6	\$5.9	\$5.9	\$5.9	\$0.9	18.9%	1.5%

Source: SUMMIT\_002054603.

In my review of the expenditures and key metrics of Alternative Corrections, I noted the following:

- Oriana House costs increased by \$0.9 million (or 18.9%) from 2006 to 2018.

### **Oriana House Costs**

Expenditures associated with the Oriana House contract increased by \$0.9 million from 2006 to 2018. However, almost 40%<sup>354</sup> of the total increase was the result of adding the Pre-Trial Services program in 2007.<sup>355</sup> The contract increased by 7% in 2007 “to cover the cost of pretrial release supervision.”<sup>356</sup> There were additional 3% general contract price increases in 2014, 2015, and 2016, but the budget documents did not identify any specific reason for the increases.<sup>357</sup> The increases appear to be related to typical increases in operating costs at Oriana House.<sup>358</sup>

Since expenditures by program were not provided in the accounting detail, I reviewed other data to determine if there were any incremental program increases due to prescription or other opioids. The county operating budgets provided program detail for only certain years

<sup>354</sup> The actual contract expenditure increased \$349,470 from 2006 to 2007 ( $\$349,470/\$940,867 = 37\%$ ). See SUMMIT\_002054603.

<sup>355</sup> See Summit 2007 Operating Budget, p. 22.

<sup>356</sup> See Summit 2007 Operating Budget, p. 22.

<sup>357</sup> See Summit 2014 Operating Budget, p. 120, Summit 2015 Operating Budget, p. 129, and Summit 2016 Operating Budget, p. 130.

<sup>358</sup> See deposition of Anne Connell-Freund dated January 24, 2019, pp. 238:20-239:14.

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between 2006 and 2018. Table V.D.8.2 is detail of the budgeted Alternative Corrections program costs.

**Table V.D.8.2: Budgeted Alternative Corrections Program Cost**

Alternative Corrections Program (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	\$ Δ (08-18)	% Δ (08-18)	CAGR (08-18)
Day Reporting Program			\$0.2				\$0.3	\$0.3	\$0.3	\$0.3	\$0.3	\$0.3	\$0.3	\$0.1	74.8%	5.7%
Driver Intervention Program			\$0.0				\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	236.7%	12.9%
Multiple Offender Program			\$0.8				\$0.5	\$0.5	\$0.5	\$0.5	\$0.5	\$0.5	\$0.5	-\$0.2	-30.6%	-3.6%
Home Incarceration / Monitoring			\$0.3				\$0.8	\$0.8	\$0.8	\$0.8	\$0.8	\$0.9	\$0.9	\$0.5	163.7%	10.2%
Residential Community Corrections Program			\$2.7				\$2.3	\$2.3	\$2.4	\$2.4	\$2.4	\$2.5	\$2.5	-\$0.2	-7.0%	-0.7%
Intensive Outpatient Program			\$1.1				\$1.1	\$1.1	\$1.2	\$1.2	\$1.2	\$1.3	\$1.3	\$0.2	14.1%	1.3%
Pre-Trial Program			\$0.4				\$0.3	\$0.3	\$0.3	\$0.3	\$0.3	\$0.3	\$0.3	-\$0.1	-18.7%	-2.0%
Total Budgeted Contract Amount	\$4.6	\$5.3	\$5.5	\$5.4	\$5.8	\$5.8	\$5.3	\$5.3	\$5.6	\$5.7	\$5.7	\$5.9	\$5.9	\$0.4	7.9%	0.8%

*Note:* A detailed breakout of Alternative Corrections Programs is not available for 2006-2007 and 2009-2011.

*Source:* Summit County 2006-2018 Operating Budgets.

Overall, total budgeted program costs remained relatively flat over time growing at a CAGR of 0.8% between 2008 and 2018. These are fixed price contracts and it does not appear that any new programs were added after the Pre-Trial Services program in 2007.<sup>359</sup> Additionally, it does not appear the program costs increased for any reason other than normal contract increases.

Based on the above and my review of the available information, I determined there were no incremental increases in Oriana House costs related to prescription opioids or opioids generally.

## 9. Adult Probation Department

The Summit County Adult Probation Department is part of the Common Pleas Court-General Division. The department supervises over 4,000 probationers to help “reduce recidivism and the impact of crime on victims and the community” through regulated programs.<sup>360</sup> The Adult Probation Department supervises a multitude of programs consisting of:

<sup>359</sup> See Summit 2007 Operating Budget, p. 22.

<sup>360</sup> See Court of Common Pleas 2016 Annual Report, p. 25.

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- Intensive Supervision Program (“ISP”): State funded program that provides an alternative to prison incarceration and helps divert felony offenders from state and local jails.<sup>361</sup>
- Felony OVI<sup>362</sup> Supervision: Program to ensure all Felony OVI probationers comply with statutory requirements and provide referrals to outside agencies for substance abuse programming for those with required treatment recommendations.<sup>363</sup>
- Mental Health Unit: Responsible for the supervision of individuals diagnosed with a “severe mental illness that hinders their ability to function on a daily basis.”<sup>364</sup> This unit collaborates with the Summit County Jail Behavioral Unit, C.I.T. and the ADM Board.<sup>365</sup>
- Turning Point Program (previously the Felony Drug Court):<sup>366</sup> Court-supervised diversionary program for substance dependent offenders aimed at rehabilitating offenders and helping offenders “transform in to positive, contributing community members.”<sup>367</sup>
- Opiate Unit: Dedicated program started in 2014 for the supervision of low to moderate risk offenders to “address the specialized needs of the opiate user.”<sup>368</sup> This unit is funded through the SMART grant.<sup>369</sup>
- Intervention in Lieu of Conviction (“IILC”) Unit: Diversionary program for individuals who have addiction or mental health issues as defined by the Ohio Revised Code.<sup>370</sup>

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<sup>361</sup> See Court of Common Pleas 2016 Annual Report, p. 27.

<sup>362</sup> Operating a Vehicle Under the Influence (see Court of Common Pleas 2016 Annual Report, p. 28).

<sup>363</sup> See Court of Common Pleas 2016 Annual Report, p. 28.

<sup>364</sup> See Court of Common Pleas 2016 Annual Report, p. 29.

<sup>365</sup> See Court of Common Pleas 2016 Annual Report, p. 29.

<sup>366</sup> See Court of Common Pleas 2013 Annual Report, p. 32.

<sup>367</sup> See Court of Common Pleas 2016 Annual Report, pp. 31-32

<sup>368</sup> See Court of Common Pleas 2016 Annual Report, p. 34.

<sup>369</sup> See Court of Common Pleas 2016 Annual Report, p. 34.

<sup>370</sup> See Court of Common Pleas 2016 Annual Report, p. 35.

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Other specialty courts and programs not mentioned above include Pre-Sentence Investigations, Valor Court, Domestic Violence Unit, Sex Offender Unit, Kiosk Reporting Program, Community Service, and a Re-Entry Court.<sup>371</sup>

The information I considered in my analysis of the Adult Probation Department included, but was not limited to, the following:

- County budgets and CAFRs
- Accounting data from Summit County's Banner accounting system
- Court of Common Pleas annual reports
- Court of Common Pleas grant applications
- Headcount data
- Depositions and exhibits of relevant personnel

**a) Identification of Direct Costs**

Based on my review of the available information, I did not identify any direct costs for the Adult Probation Department, whether related either to prescription opioids or opioids generally. While a designated Opiate Unit was created in the Adult Probation Department in 2014, the unit and its personnel<sup>372</sup> are funded through the SMART grant provided by the Ohio Department of Rehabilitation and Correction.<sup>373</sup>

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<sup>371</sup> See Court of Common Pleas 2016 Annual Report, pp. 27-32.

<sup>372</sup> Mr. Nelsen testified that eight new probation officers were hired in the 2017-2018 time frame, but they are funded entirely through state grant funds (see 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 161:20-163:1, 165:11-16, and 175:1-14).

<sup>373</sup> See Court of Common Pleas 2016 Annual Report, p. 34, and SUMMIT\_000110952.



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**b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the Adult Probation Department between 2006 and 2018, whether related either to prescription opioids or opioids generally. My analysis of incremental costs is presented below.

Table V.D.9.1 is a summary of expenditures and key metrics of the Adult Probation Department for the period 2006 through 2018.

**Table V.D.9.1: Summary of Expenditures and Key Metrics**

Adult Probation (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Δ (06-18)	% Δ (06-18)	CAGR (06-18)
Salaries	\$2.6	\$2.5	\$2.7	\$2.7	\$2.5	\$2.5	\$2.5	\$2.6	\$2.7	\$2.7	\$2.6	\$2.6	\$2.5	(\$0.1)	-2.2%	-0.2%
Benefits	\$0.8	\$0.9	\$1.0	\$1.1	\$1.1	\$1.1	\$1.0	\$1.0	\$1.0	\$1.1	\$1.1	\$1.1	\$1.1	\$0.2	27.4%	2.0%
Other Non-Compensation Costs	\$0.3	\$0.2	\$0.2	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.1	\$0.0	\$0.0	\$0.0	(\$0.2)	-88.1%	-16.3%
Total Costs	\$3.7	\$3.6	\$3.9	\$3.9	\$3.6	\$3.6	\$3.5	\$3.6	\$3.7	\$3.8	\$3.7	\$3.7	\$3.6	(\$0.1)	-1.9%	-0.2%
Compensation Costs (Salaries + Benefits)	\$3.4	\$3.4	\$3.7	\$3.8	\$3.5	\$3.5	\$3.5	\$3.6	\$3.6	\$3.8	\$3.6	\$3.6	\$3.6	\$0.2	5.0%	0.4%
Compensation Costs as % of Total Costs	92.7%	93.4%	94.7%	99.5%	99.5%	99.1%	99.1%	98.7%	99.1%	98.3%	99.1%	99.1%	99.1%	6.5%		
FTEs	59	63	63	68	65	63	59	62	60	58	59	58	59	0	0.4%	0.0%
(\$ Actual)																
Average Salaries per FTE	\$44,089	\$39,967	\$43,062	\$40,430	\$38,319	\$39,557	\$41,835	\$41,774	\$44,167	\$46,752	\$43,624	\$44,627	\$42,944	(\$1,145)	-2.6%	-0.2%
Average Benefits per FTE	\$14,031	\$13,613	\$15,855	\$16,106	\$16,279	\$16,948	\$16,633	\$15,625	\$16,401	\$18,210	\$18,262	\$18,528	\$17,792	\$3,761	26.8%	2.0%
Average Compensation Costs per FTE	\$58,120	\$53,580	\$58,917	\$56,536	\$54,598	\$56,504	\$58,468	\$57,399	\$60,568	\$64,962	\$61,887	\$63,156	\$60,736	\$2,616	4.5%	0.4%
Supervision Caseload	4,830	4,274	4,230	4,553	4,210	3,908	4,040	4,103	4,042	4,281	4,273			(557)	-11.5%	-1.2%

*Note 1:* FTEs represents budgeted FTEs for 2006-2018.

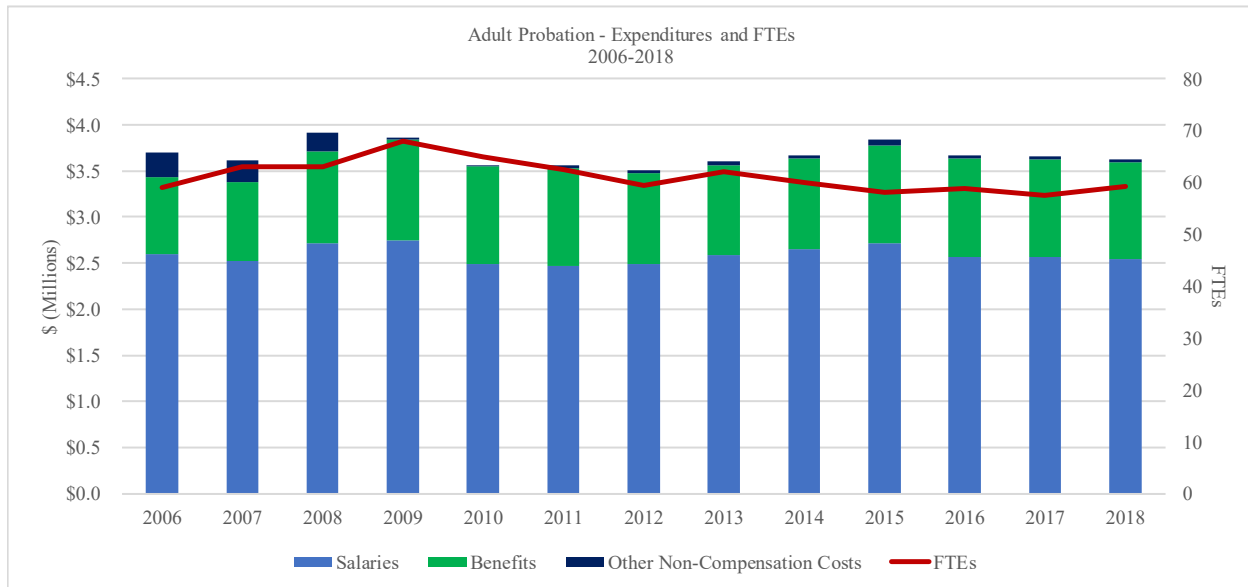
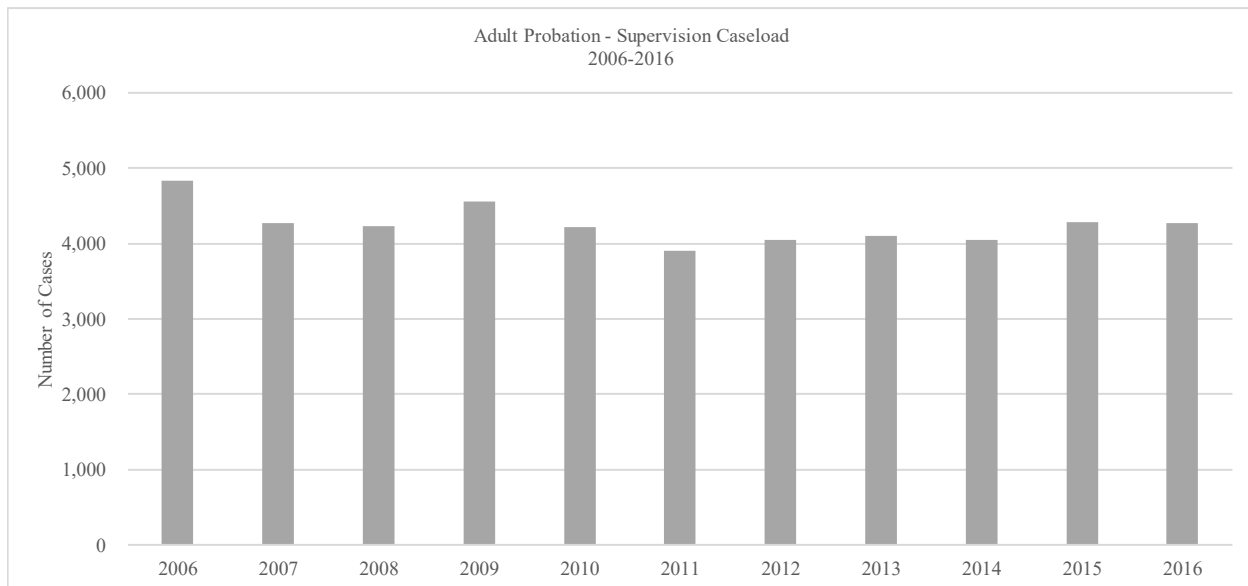
*Note 2:* Caseload data was not available for 2017-2018.

*Note 3:* Absolute change, percent change, and CAGR metrics for caseload are calculated based on the years data was available.

*Sources:* SUMMIT\_002054603; Summit 2010, 2014, and 2018 Operating Budgets; Court of Common Pleas 2008, 2012, and 2016 Annual Reports.

These expenditures and key metrics are further exhibited in the graphs below:

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**Graph V.D.9-1: Expenditures and Budgeted FTEs****Graph V.D.9-2: Supervision Caseload**

In my review of the expenditures and key metrics of the Adult Probation Department, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2018, but increased overall by \$0.2 million (or 5.0%).

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- The CAGR of average compensation per FTE was 0.4%, which is far below the average inflation rate of state and local government employees' compensation of 2.4%.<sup>374</sup>
- There was no change in budgeted FTEs between 2006 and 2018.
- Total supervision caseload declined by 557 cases from 2006 to 2016.

### **Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$0.2 million (or 5.0%) from 2006 to 2018 and represent 97.8% of total expenditures during the period.<sup>375</sup> Average salaries per FTE decreased from 2006 to 2018, while average benefits per FTE increased by \$3,761 over the same period. This increase in benefits is the result of higher healthcare plan costs<sup>376</sup> per employee.

Additionally, budgeted FTEs remained flat at 59 from 2006 to 2018. Budgeted FTEs was at a high of 68 in 2009 prior to the financial crisis; however, in 2009, the department “downsized operations due to the fiscal climate within the County.”<sup>377</sup> The last year the department was fully staffed was 2008 at 63 budgeted FTEs, which is only 4 employees higher than the budgeted FTEs in 2018.<sup>378,379</sup> The budgeted FTEs also include administrative personnel, so I further examined the non-overhead FTEs (specifically, probation officers and supervisors). The budgeted FTEs for probation officers and supervisors increased by 8 FTEs from 2006 to 2018.<sup>380</sup> This increase is supported by testimony of Mr. Nelsen and disclosures in the Court of Common Pleas Annual Reports regarding the increase in probation officers for the Opiate Unit.<sup>381</sup> However, as

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<sup>374</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2018 – Series I.D. CIU3010000000000Q (Not Seasonally Adjusted).

<sup>375</sup> See SUMMIT\_002054603.

<sup>376</sup> See SUMMIT\_002054603.

<sup>377</sup> See Court of Common Pleas 2009 Annual Report, p. 24.

<sup>378</sup> See Court of Common Pleas 2008 Annual Report, p. 2.

<sup>379</sup> The headcount information provided from the Banner accounting system also indicates that staffing levels peaked in 2008 (see SUMMIT\_001952975).

<sup>380</sup> See Summit 2010 Operating Budget, p. 315 and Summit 2018 Operating Budget, p. 376.

<sup>381</sup> See 30(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 161:20-163:1, 165:11-16, and 175:1-14, and Court of Common Pleas 2016 Annual Report, p. 34.

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mentioned previously, these additional officers are funded entirely through the SMART grant and not county funds.

Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

### **Other Non-Compensation Costs**

Non-compensation costs include accounts such as telephone and office service charges. Non-compensation costs decreased by \$0.2 million between 2006 and 2018, and accounts for 2.2% of total costs. Based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally.

## **10. Medical Examiner**

The Summit County Medical Examiner provides forensic death investigation services for Summit County and surrounding counties. The Medical Examiner also “assists local law enforcement agencies with forensic evaluation of deaths to aid in their investigations and subsequent prosecutions.”<sup>382</sup> Main services provided include scene investigations, performance of autopsies, and toxicologic examinations.<sup>383</sup> The Medical Examiner is funded through the Summit County General Fund which is separately accounted for within the Banner accounting system.<sup>384</sup>

The Medical Examiner also operates the “Coroner’s Lab” which generates fees from the performance of out-of-county autopsies and toxicology services.<sup>385</sup> The fees charged are intended to cover both overhead costs and time taken away from in-county activities.<sup>386</sup> Summit County accounts for this Coroner’s Lab Fund separately from the General Fund. Based on my

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<sup>382</sup> See Summit 2018 Operating Budget, p. 197.

<sup>383</sup> See deposition of Lisa Kohler dated July 31, 2018, pp. 36:9-39:8.

<sup>384</sup> Fund: General Fund (10003)/ Organization: Medical Examiner – General Office (3107). See SUMMIT\_002054603.

<sup>385</sup> See Summit 2018 Operating Budget, p. 200.

<sup>386</sup> See deposition of Lisa Kohler dated July 31, 2018, p. 284:8-22.

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review of the accounting data, it appears the Coroner's Lab Fund was entirely funded through receipt of fees from 2006 through 2016.<sup>387</sup> Summit County budgets also indicate that the Coroner's Lab Fund holds fees in reserve that can be utilized in subsequent years.<sup>388</sup> For these reasons, my incremental expenditure analysis is focused on the expenditures funded through the General Fund.

The information I considered in my analysis of the Medical Examiner included, but was not limited to, the following:

- County budgets and CAFRs
- Accounting data from Summit County's Banner accounting system
- Medical Examiner annual reports
- Depositions and exhibits of relevant personnel
- Medical Examiner database
- Publicly available information

**a) Identification of Direct Costs**

Based on my review of the available information, I identified no direct costs related to prescription opioids for the Medical Examiner. As stated above, although this case involves claims related to harm caused by prescription opioids, I have also analyzed costs associated with opioid abuse generally in the event that the Court finds damages warranted beyond the harms caused solely by prescription opioid abuse. Thus, regarding opioids generally, I identified total direct costs of \$479,016 for the Medical Examiner.<sup>389</sup> These direct costs related to the hiring of additional employees to assist with increased caseloads and cash transfers from the General Fund to the Coroner's Lab Fund. I found no evidence which indicates the hiring of these additional employees or cash transfers were specific to prescription opioids.

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<sup>387</sup> Account Title "Fees – Coroner." Fund: Coroner's Lab (28625) / Organization: Medical Examiner – Lab (3110). See SUMMIT\_002054603.

<sup>388</sup> See Summit 2018 Operating Budget, p. 59.

<sup>389</sup> See Appendix 5 – Summit County Direct Costs.

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Based on testimony from Lisa Kohler (Chief Medical Examiner, Summit County) regarding the impact of the opioid crisis, Ms. Kohler testified the Medical Examiner hired four “locum Tenens doctors to assist with the caseload” costing \$83,250.<sup>390,391</sup> Ms. Kohler could not recall when this hiring occurred, but believed it was after the county stopped performing out-of-county autopsies (around 2016).<sup>392</sup> Although I could not specifically identify these costs within the accounting data, the expense account for “Contract Services” increased slightly in 2016 and 2017 (see Table V.D.10-1 below). The cost for these locum Tenens doctors may be the cause for the increase.

In 2018, the Summit County operating budget included a transfer from the General Fund to the Coroner’s Lab Fund “to replenish reserve balances which have been depleted by the ME’s lack of time to handle out of county autopsies. The resulting drop in Lab Fund revenues is another byproduct of the opiate epidemic and the strain it has placed on County resources.”<sup>393</sup> Based on my review of the accounting data, there were transfers of \$155,766 and \$240,000 to the Coroner’s Lab Fund in 2017 and 2018, respectively.<sup>394</sup> I note that these transfers account for any specific direct costs paid for by the Coroner’s Lab Fund in 2017 and 2018.<sup>395</sup>

#### **b) Identification and Analysis of Incremental Costs**

Based on my review of the available information, I did not identify any incremental costs for the Medical Examiner between 2006 and 2018 in excess of my direct costs, whether related either to prescription opioids or opioids generally. My analysis of incremental costs, which focuses only on General Fund expenditures, is presented below.

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<sup>390</sup> See SUMMIT\_000030830.

<sup>391</sup> Note that the Medical Examiner Annual Reports for 2014-2017 (at p. 18) indicate that “Drugs Most Commonly Found as Cause of Death” were Carfentanil and Fentanyl, which are (primarily) illicit opioids.

<sup>392</sup> See deposition of Lisa Kohler dated July 31, 2018, pp. 278:12-282:22 and “Narrative in Support of Opioid Crisis Costs – County of Summit Medical Examiner” (SUMMIT\_000030830).

<sup>393</sup> See Summit 2018 Operating Budget, p. 44, and deposition of Brian Nelsen dated January 24, 2019, p. 128:3-17.

<sup>394</sup> Account Title “Transfers In.” Fund: Coroner’s Lab (28625) / Organization: Medical Examiner – Lab (3110). See SUMMIT\_002054603.

<sup>395</sup> Such costs include increases in body removal contracts, new lab equipment, and an additional forensic investigator. See deposition of Brian Nelsen dated January 24, 2019, pp. 131:2-13, 133:2-20, and 138:21-139:5, and Summit 2018 Operating Budget, p. 204.

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Table V.D.10-1 is a summary of expenditures and key metrics of the Medical Examiner for the period 2006 through 2018.

**Table V.D.10-1: Summary of Expenditures and Key Metrics**

Medical Examiner (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Δ (06-18)	% Δ (06-18)	CAGR (06-18)
Salaries	\$1.3	\$1.3	\$1.4	\$1.3	\$1.3	\$1.3	\$1.2	\$1.2	\$1.2	\$1.3	\$1.1	\$1.2	\$1.3	\$0.0	3.2%	0.3%
Benefits	\$0.4	\$0.4	\$0.4	\$0.5	\$0.5	\$0.4	\$0.4	\$0.4	\$0.4	\$0.5	\$0.4	\$0.5	\$0.5	\$0.1	32.8%	2.4%
Contract Services	\$0.1	\$0.1	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.1	\$0.0	(\$0.1)	-100.0%	-100.0%
Other Non-Compensation Costs	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	(\$0.0)	-35.0%	-3.5%
Total Costs	\$1.7	\$1.8	\$1.9	\$1.8	\$1.8	\$1.7	\$1.7	\$1.7	\$1.7	\$1.8	\$1.6	\$1.8	\$1.8	\$0.1	5.2%	0.4%
Compensation Costs (Salaries + Benefits)	\$1.6	\$1.7	\$1.8	\$1.8	\$1.7	\$1.7	\$1.6	\$1.7	\$1.7	\$1.8	\$1.5	\$1.7	\$1.8	\$0.2	10.0%	0.8%
Compensation Costs as a % of Total Costs	94.4%	94.4%	96.6%	98.4%	99.0%	98.8%	99.0%	98.9%	98.8%	99.0%	96.9%	92.7%	98.6%	4.3%		
FTEs	21	21	22	22	19	19	19	19	19	19	18	17		(4)	-19.0%	-1.9%
(\$ Actual)																
Average Salaries per FTE	\$60,317	\$63,217	\$63,534	\$61,287	\$66,863	\$67,005	\$64,026	\$64,095	\$65,147	\$69,287	\$60,711	\$70,841		\$10,524	17.4%	1.5%
Average Benefits per FTE	\$18,093	\$18,756	\$20,178	\$21,181	\$24,784	\$23,585	\$22,553	\$23,250	\$23,283	\$25,775	\$24,828	\$28,618		\$10,524	58.2%	4.3%
Average Compensation Costs per FTE	\$78,411	\$81,973	\$83,712	\$82,468	\$91,647	\$90,590	\$86,579	\$87,345	\$88,430	\$95,062	\$85,539	\$99,459		\$21,048	26.8%	2.2%
In-County Cases	584	563	568	579	564	596	592	655	669	729	872	756		172	29.5%	2.4%
In-County Cases where COD = Overdose	92	72	80	76	94	84	112	107	156	213	345	278		186	202.2%	10.6%
Out-of-County Cases	71	84	71	120	143	167	139	181	187	212	71	0		(71)	-100.0%	-100.0%

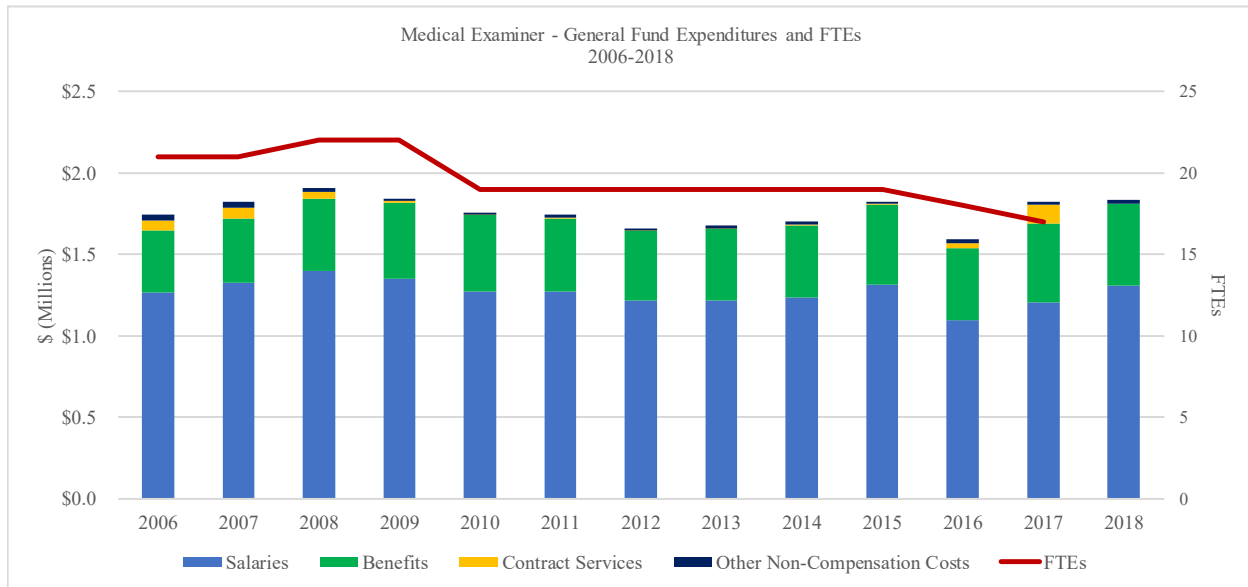
*Note 1:* Final FTE data was not available for 2018. In-county/out-of-county data was not available for 2018.

*Note 2:* Absolute change, percent change, and CAGR metrics for in-county/out-of-county cases are calculated based on the years data was available.

*Sources:* SUMMIT\_002054603; SUMMIT\_001952975; Medical Examiner 2006-2017 Annual Reports.

These expenditures and key metrics are further exhibited in the graph below:

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**Graph V.D.10-1: Expenditures and FTEs**

In my review of the expenditures and key metrics of the Medical Examiner, I noted the following:

- Total compensation costs (salaries and benefits) fluctuated between 2006 and 2018, but increased overall by \$0.2 million (or 10.0%).
- The CAGR of average compensation per FTE was 2.2% from 2006 to 2017, which is slightly below the average inflation rate of state and local government employees' compensation of 2.4%.<sup>396</sup>
- There was a net decrease of 4 FTEs (or 19.0%) between 2006 and 2017.
- In-county cases increased by 288 cases (or 49.3%) from 2006 to 2016 and decreased by 116 cases (or 13.3%) in 2017.<sup>397</sup>
- Out-of-county cases ceased by the end of 2016.

I further analyzed the number of cases handled by the Medical Examiner to understand how (and if) the caseload changed between 2006 and 2017. Graph V.D.10-2 provides the count

<sup>396</sup> See U.S. Bureau of Labor Statistics, Employment Cost Index (NAICS basis), 2007-2017 – Series I.D. CIU301000000000Q (Not Seasonally Adjusted).

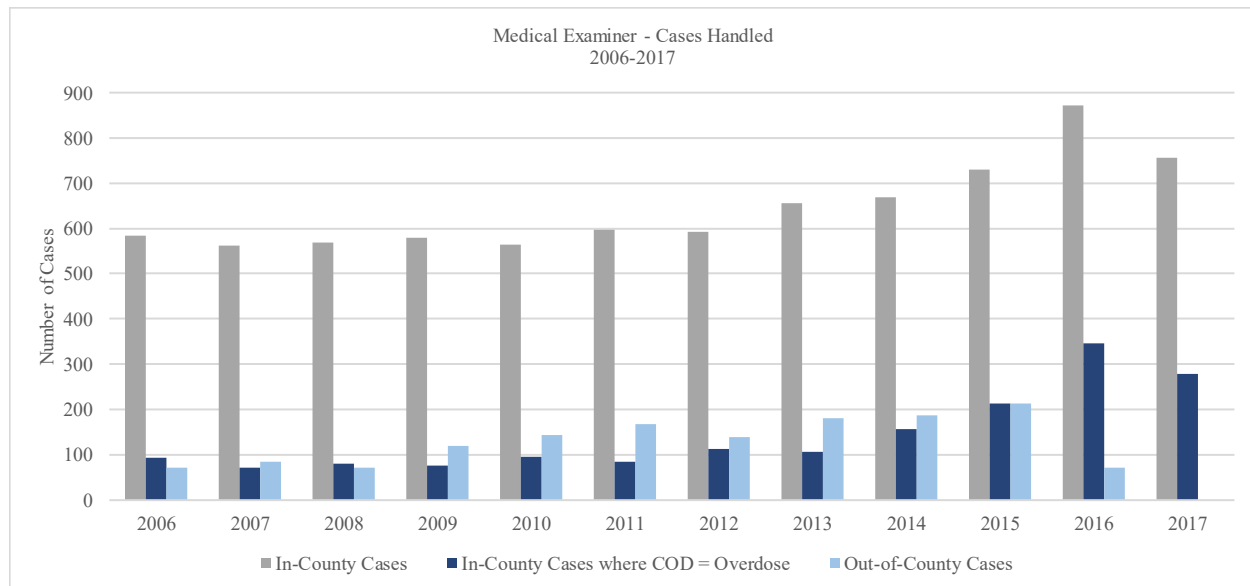
<sup>397</sup> Case counts do not directly correlate to the number of autopsies performed. The medical examiner may choose to not do a full autopsy depending on extenuating evidence and circumstances. See deposition of Lisa Kohler dated July 31, 2018, pp. 38:3-39:8.



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of cases handled by the Medical Examiner for 2006 through 2017 including where the cause of death was determined to be a drug and/or alcohol overdose.

**Graph V.D.10-2: Medical Examiner Cases**



*Source:* Medical Examiner 2006-2017 Annual Reports.

As depicted in the graph above, the number of cases remained relatively stable until 2013/2014 when an overall increase in cases is observed. This overall increase corresponds to an increase in overdose deaths, which peaked in 2016.<sup>398</sup> The majority of the overdoses in 2016 were linked to illicit drugs, including carfentanil.<sup>399</sup> As a result of the increase in overall cases, the medical examiner's office stopped taking out-of-county cases sometime in 2016 to better address in-county issues.<sup>400</sup>

<sup>398</sup> This is consistent with other sources that report a decrease in drug overdoses by 2018 and note the "waning end of the opiate crisis." See "Drug Deaths Plunge In Summit; County Task Force Says Number of Overdoses Fell in 2018." Akron Beacon Journal, January 12, 2019.

<sup>399</sup> See Summit County Medical Examiner Annual Reports, Toxicology Results for "Drugs Most Commonly Found as the Cause of Death."

<sup>400</sup> See deposition of Lisa Kohler dated July 31, 2018, p. 85:10-20 and Exhibit 12.

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**Compensation Costs**

Total compensation costs (salaries and benefits) increased by \$0.2 million (or 10.0%) from 2006 to 2018 and represent 97.3% of total expenditures during the period.<sup>401</sup> Although caseloads increased, it does not appear the Medical Examiner experienced any additional hires or increases in compensation costs as a result of the county's efforts related to opioid abuse. Compensation costs remained relatively stable throughout the time period, and in the years with the highest caseloads (2015 and 2016), the FTEs decreased from 19 to 18 employees. Presumably the extra caseloads were handled by the "locum Tenens doctors to assist with caseload" included in my direct costs above.

Based on the above and my review of the available information, I determined there were no incremental increases in compensation costs related to prescription opioids or opioids generally.

**Other Non-Compensation Costs**

Non-compensation costs include "Motor Vehicle Fuel/Repair" and other non-compensation related accounts, such as supplies, telephone, and office service charges. Non-compensation costs decreased by 35% between 2006 and 2018, and comprise approximately 1% of total costs. Based on the account descriptions and my review of the available information, it does not appear these accounts contain costs related to prescription opioids or opioids generally.

**E. Calculation of Maximum Past Opioid Costs**

My calculation of maximum past opioid costs represents the sum of my identified direct costs and incremental costs of the "affected divisions" (and for direct costs, where the division is unknown). Tables V.E-1 and V.E-2 are a summary of my maximum past opioid costs by county and division.

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<sup>401</sup> See SUMMIT\_002054603.

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**Table V.E-1: Summary of Cuyahoga County Maximum Past Opioid Costs**

Division	Maximum Direct Costs		Maximum Incremental Costs		Maximum Total Costs that Could be Related to Prescription and General Opioid Abuse
	Prescription	General	Prescription	General	
ADAMHS Board	\$ -	\$ 2,235,174	\$ -	\$ 1,080,231	\$ 3,315,405
Children and Family Services					
Office of the Prosecutor	-	100,000	-	-	100,000
Office of the Public Defender	-	-	-	-	-
Court of Common Pleas	-	3,027,542	-	-	3,027,542
Juvenile Court	-	317,793	-	122,760	440,553
Sheriff's Department	35,191	-	-	-	35,191
County Jail	-	-	-	-	-
Medical Examiner	-	2,636,996	-	-	2,636,996
Division Unknown	5,485	14,047	-	N/A	19,533
	\$ 40,676	\$ 8,331,553	\$ -	\$ 1,202,991	\$ 9,575,220

*Note 1:* Due to the unavailability of certain Cuyahoga County financial records for 2018, my calculation of past costs for Cuyahoga County is limited, in part, to the period 2006 to 2017.

*Note 2:* At this time I have not analyzed Children and Family Services. Pursuant to the Court's recent rulings, I will supplement my report to include an analysis of Children and Family Services upon receipt of the underlying case files from Plaintiffs.

**Table V.E-2: Summary of Summit County Maximum Past Opioid Costs**

Division	Maximum Direct Costs		Maximum Incremental Costs		Maximum Total Costs that Could be Related to Prescription and General Opioid Abuse
	Prescription	General	Prescription	General	
ADM Board	\$ -	\$ 7,078,148	\$ -	\$ -	\$ 7,078,148
Children Services					
Prosecutor's Office	-	-	-	-	-
Court of Common Pleas	-	-	-	467,259	467,259
Juvenile Court	-	-	-	1,388,319	1,388,319
Sheriff's Office	166,667	281,034	-	-	447,701
County Jail	-	237,990	-	-	237,990
Alternative Corrections	-	-	-	-	-
Adult Probation Department	-	-	-	-	-
Medical Examiner	-	479,016	-	-	479,016
	\$ 166,667	\$ 8,076,188	\$ -	\$ 1,855,578	\$ 10,098,433

*Note 1:* My calculation of maximum past costs for Summit County are for the period 2006 to 2018.

*Note 2:* At this time I have not analyzed Children Services. Pursuant to the Court's recent rulings, I will supplement my report to include an analysis of Children Services upon receipt of the underlying case files from Plaintiffs.

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My total maximum past opioid costs for Cuyahoga County, not including Children and Family Services, are \$9,575,220.<sup>402</sup> Of these total costs, I determined \$40,676 related to prescription opioids.<sup>403,404</sup>

My total maximum past opioid costs for Summit County, not including Children Services, are \$10,098,433.<sup>405</sup> Of these total costs, I determined \$166,667 related to prescription opioids.<sup>406</sup>

## **VI. INSUFFICIENCIES OF THE PLAINTIFFS' EXPERTS' METHODOLOGIES AND OPINIONS**

I have also been asked to review the reports filed by McGuire and Cutler and to comment on their calculations of damages. It is my opinion that McGuire's damages opinions are flawed and should be rejected.

### **Overview of McGuire's Calculation of Financial Damages**

McGuire theorizes that the appropriate framework for calculating "damages"<sup>407</sup> is based on the principle of opportunity cost.<sup>408</sup> McGuire readily admits that a change in demand for government services does not necessarily result in increased costs or additional spending.<sup>409</sup>

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<sup>402</sup> At this time I have not analyzed Children and Family Services. Pursuant to the Court's recent rulings, I will supplement my report to include an analysis of Children and Family Services upon receipt of the underlying case files from Plaintiffs. See Order re Objections to Discovery Ruling No. 17 from J. Polster dated April 10, 2019 (Dkt. No. 1535) and Order Granting an Extension to File a Single, Supplemental Report on Children's Services' Damages from SM Cohen dated May 7, 2019.

<sup>403</sup> Due to the unavailability of certain Cuyahoga County financial records for 2018, my calculation of past opioid costs for Cuyahoga County is limited, in part, to the period 2006 to 2017.

<sup>404</sup> Appendix 4 – Cuyahoga County Direct Costs.

<sup>405</sup> At this time I have not analyzed Children Services. Pursuant to the Court's recent rulings, I will supplement my report to include an analysis of Children Services upon receipt of the underlying case files from Plaintiffs. See Order re Objections to Discovery Ruling No. 17 from J. Polster dated April 10, 2019 (Dkt. No. 1535) and Order Granting an Extension to File a Single, Supplemental Report on Children's Services' Damages from SM Cohen dated May 7, 2019.

<sup>406</sup> See Appendix 5 – Summit County Direct Costs.

<sup>407</sup> McGuire characterizes his calculations as damages (for example, see McGuire Report, para. 11), and he states that he has been instructed by counsel to refer to his calculations as damages (see deposition of Thomas McGuire dated April 30, 2019, p. 590:14-19).

<sup>408</sup> See McGuire Report, para. 26-27 and footnote 26.

<sup>409</sup> See McGuire Report, para. 25.

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Rather, he theorizes that counties suffered opportunity cost damages as a result of responding to opioid-related issues. He posits that if the county spent funds on opioid-related issues, including for internal compensation costs, then the county was unable to spend funds on other issues.<sup>410</sup> McGuire frames the counties' inability to spend funds on other issues as "lost opportunities" and, therefore, treats all funds spent by the counties on opioid-related issues as damages even if the county's financial condition remained unchanged.

McGuire quantifies damages in the following manner:<sup>411,412</sup>

Damages = (1) Total Costs Incurred in Bellwether Divisions Affected by Opioid Crisis  
 × (2) Share of Total Costs in Relevant Divisions That Address Harms  
 × (3) Share of Harm Attributable to Defendants' Misconduct

It should be noted that (3) above is calculated by Cutler according to the following formula:<sup>413</sup>

(3) Share of Harms Attributable to Defendants' Misconduct  
 = (4) Share of Harms Attributable to Opioids ("Opioid-Related %")  
 × (5) Share of Opioid Harms Attributable to Opioid Shipments  
 × (6) Share of Opioid Shipments Due to Defendants' Misconduct

An example of how the McGuire and Cutler reports are linked is shown below:<sup>414, 415</sup>

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<sup>410</sup> See McGuire Report, para. 26.

<sup>411</sup> See McGuire Report, para. 16 and 72.

<sup>412</sup> Note that McGuire and Cutler do not assign numbers to calculation steps within their individual reports (i.e., numbers 1-6 above). I have included numbers here for illustrative purposes.

<sup>413</sup> See McGuire Report, footnote 15 and Cutler Report, para. 23.

<sup>414</sup> McGuire calculations are based on the example presented in Table IV.11 of the McGuire Report.

<sup>415</sup> Cutler percentages sourced from Table III.4 and Table III.13 of the Cutler Report.

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<b>Example: Damages to Cuyahoga County Sheriff's Department</b>			<b>2017</b>
McGuire	<b>(1) Total Costs Incurred by Cuyahoga Sheriff</b>		<i>(\$ in millions)</i>
	Total Compensation Costs	[a]	\$32.9
	Affected Non-Compensation Costs	[b]	\$0.8
	<b>(2) Share of Costs in Relevant Divisions that Address Harms</b>		
	Overhead Adjustment	[c]	93.2%
	Crime-Focused Percentage	[d]	68.7%
	Offset to Affected Costs	[e]	\$0.0
	<b>(3) Share of Harms Attributable to Defendants' Misconduct</b> <i>(taken from Cutler Report)</i>		
Cutler		[f]	5.2%
	<b>Damages to Cuyahoga Sheriff</b>	$([a]*[c]*[d]+[b]-[e])*[f]$	\$1.1
	(4) Share of Harm Attributable to Opioids ("Opioid-Related %")	[g]	11.0%
	(5/6) Share of Harm (based on Regression)	[h]	47.7%
	<b>(3) Share of Harms Attributable to Defendants' Misconduct</b>	$[f]=[g]*[h]$	5.2%

McGuire first identifies 19 “affected divisions” in the Bellwether counties that may have incurred costs in responding to opioid abuse.<sup>416</sup> His work is then primarily focused on determining what he refers to as the “affected costs,” which are determined by steps (1) and (2) in the first formula above.<sup>417</sup> These are the costs that McGuire claims are “variable” and potentially affected by opioid abuse related issues. Again, when he identifies these costs as “affected” or “variable,” he does not mean that they actually increased or decreased because of opioid abuse, but rather that they were “diverted.”<sup>418</sup> In other words, he does not demonstrate a change in expenses or financial condition “but for” Plaintiffs’ allegations. The total “affected” costs incurred in “affected divisions” are then multiplied by the “[s]hare of total costs in relevant divisions that address harms.”<sup>419</sup> This step attempts to refine the total costs in the “affected divisions” by removing overhead and other costs in an attempt to identify the portion of costs that might actually have been affected. These “affected costs” are then multiplied by item (3) in

<sup>416</sup> See McGuire Report, Table IV.1.

<sup>417</sup> See McGuire Report, Section IV (“Identifying Affected Costs Within Impacted Government Divisions”).

<sup>418</sup> See McGuire Report, Section II.B.3 (“The Value of Diverted Resources Understates Opioid-Related Costs Faced by Municipalities”) and para. 26-27.

<sup>419</sup> See McGuire Report, para. 16 and 72.

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the formula above, the “Share of Harm Attributable to Defendants’ Misconduct.” The formula for this element is referenced above and will be further discussed later in this report.

Further, while McGuire struggled to recall the specifics of what he did, how the numbers ended up in his report, who performed the work, who he talked to, or what county employees were consulted, the one thing that is clear regarding his work is that all he has done is identify the costs that may have been affected.<sup>420</sup> He relies entirely and without analysis or vetting on Cutler (and Rosenthal) for the rest of the analysis.<sup>421</sup> Outside of determining the starting point for costs, he is merely a calculator for the rest of the exercise. Because he is so dependent on Cutler for the substantial portions of the analysis, I will address the work of both in subsequent sections.<sup>422</sup>

As previously stated, it is my opinion that McGuire’s damages opinions are flawed and should be rejected. The most egregious deficiencies fit into the following categories:

1. McGuire’s methodology is illogical, relies on unfounded and untested theories, misapplies the concept of opportunity cost, and relies on financial terms and concepts in a manner that is not commonly accepted in the profession.
2. McGuire’s determination of “affected costs” is speculative, unreliable, and deficient.

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<sup>420</sup> See deposition of Thomas McGuire dated April 23, 2019.

<sup>421</sup> See deposition of Thomas McGuire dated April 23, 2019, pp. 140:23-142:24, pp. 144:16-146:15, and p. 205:14-19.

<sup>422</sup> In addition to the damages calculations addressed in this report, McGuire also includes additional calculations in the appendices to his report that are labeled “Damages from Distributors’ Misconduct” and “Damages from All Shipments.” He claims that he relies on inputs from Cutler for these calculations. He does not present these as damages, and when asked about them at his deposition, he did not seem to know their intended purpose. He mistakenly guesses that some were for his Public Nuisance report. Cutler states that he was not involved in determining or assessing the underlying data that was used to calculate the inputs that were provided to McGuire. Cutler claims that this data was simply given to him by counsel, and that it was estimated by McCann and Rosenthal. However, I have not seen the underlying data sets from McCann, and understand that counsel for Defendants has not seen them either. As the relevance and validity of the underlying figures from McCann and Rosenthal are beyond the scope of my report and McGuire does not present his calculations relying on these figures as damages, I am not addressing them further in this report. See deposition of Thomas McGuire dated April 30, 2019, pp. 594:24-606:16 and deposition of David Cutler dated April 27, 2019, pp. 594:11-595:3 and 634:8-637:11.

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3. McGuire's conclusions are entirely dependent on the work of Cutler, who bases his work on inappropriate, deficient, and insufficient data, fails to properly analyze and vet his underlying data sources, and ignores significant amounts of relevant data.

**A. Methodological and Foundation Errors**

As previously described, McGuire utilizes opportunity cost as his methodology for calculating financial damages. To understand the flaws in McGuire's methodology, it is helpful to begin with a definition of opportunity cost:

"Opportunity costs represent the benefits foregone because one course of action is chosen over another"<sup>423</sup>... and have been described as expressing "the basic relationship between scarcity and choice."<sup>424</sup>

"A benefit, profit, or value of something that must be given up to acquire or achieve something else."<sup>425</sup>

First, opportunity cost, as defined above and utilized by McGuire, cannot be used to determine financial damages suffered by the Cuyahoga County and Summit County governments. Rather, to the extent damages have been suffered at all, the opportunity costs identified by McGuire only represent ostensible damages and harm to the individual citizens in those counties. A key concept in the above definitions is that of the "benefit" or "value" that is lost. Not only is it crucial to determine that value has been lost, but also to identify who has lost that value. To the extent McGuire has identified value lost by an entity other than the Plaintiffs, his opinions must be rejected.

An example of opportunity cost and "diversion" of resources cited by McGuire illustrates this deficiency. If the Summit County ADM division treats an opioid abuse patient instead of treating an alcohol patient, neither the service provider nor the County is deprived of any benefit. The county spends the same amount of time and same amount of resources providing treatment

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<sup>423</sup> See Barfield, Raiborn, and Kinney. Cost Accounting Traditions and Innovations. 2<sup>nd</sup> Edition, 1994, p. 605.

<sup>424</sup> See James M. Buchanan (2008). "Opportunity Cost." The New Palgrave Dictionary of Economics Online (Second ed.).

<sup>425</sup> See <http://www.businessdictionary.com/definition/opportunity-cost.html>.



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as it otherwise would. The entity that lost the benefit and was therefore harmed or damaged is the alcohol patient. By calculating damages in this fashion, McGuire is substituting theoretical damages to individual citizens for damages to the county.

It is widely accepted that measuring damages calls for reconstructing the financial results that “would-have-been” achieved had the alleged improper conduct not occurred--in other words, determine what would have been, “but for” the alleged improper conduct. Then, the would-have-been results are compared to the actual results so that damages stemming from the alleged improper conduct can be identified and measured.<sup>426</sup> Because McGuire realizes that this widely accepted approach would result in significantly lower damages, he conflates damages to citizens with damages to the county.

Further examples from the McGuire Report illustrate his recurring conflation of individual and county damages. If, as McGuire posits, opioid abuse-related activities occupy 20% of Children and Family Services staff time, resulting in less time for other activities and a decrease in quality of service, the provider of service is unaffected. It is those who received the service that may suffer harm or incur damages. Similarly, if police spend less time on patrolling and traffic enforcement because of time spent responding to opioid abuse-related calls, the police department is unaffected. The police officers spend the same amount of time and the municipality spends the same amount of resources as it otherwise would. The citizens who then don’t benefit from the patrolling and traffic enforcement are potentially harmed, but the police department is not. It is likely that the Court recognized this fact when it gave guidance that damages could be measured by incremental increased costs above the norm, not merely from substituted costs or the ordinary provision of service.<sup>427,428</sup>

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<sup>426</sup> See Weil, R., Lentz, D. and Evans, E. *Litigation Services Handbook*. 6<sup>th</sup> Edition, 2017, Section 4.4 “Damages Theory.”

<sup>427</sup> See Opinion and Order dated December 19, 2018 in the matter *The County of Summit, Ohio et al. vs. Purdue Pharma L.P. et al.*

<sup>428</sup> McGuire also submitted a separate report “Regarding Public Nuisance.” That report also purports to calculate costs borne by citizens and does not attempt to calculate costs borne by the counties themselves (see deposition of Thomas McGuire dated April 30, 2019, pp. 669:8-670:5 and McGuire Report Regarding Public Nuisance, para. 13). Moreover, that report does not attempt to link these costs to Defendants’ misconduct (see McGuire Report Regarding Public Nuisance, para. 42 and footnote 57).

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A second major deficiency in McGuire's methodology is his assumption that governments are rational, profit maximizing entities that behave like consumers or businesses.<sup>429</sup> McGuire states that local governments face a constrained optimization problem: how can they optimally allocate their limited resources to "maximize their objectives."<sup>430</sup> He then claims that Summit and Cuyahoga Counties utilize standard private sector cost / benefit analyses when they allocate resources.<sup>431</sup> He bases this assertion on a handful of quotes plucked from a few textbooks.<sup>432</sup> However, a further review of those texts reveal that this is not "well accepted" even in the texts McGuire claims as his primary sources.

As discussed below, politicians and bureaucrats are guided by objectives other than profit maximization, which result in governmental inefficiencies that break the cost / benefit link required by private sector decision makers. As a result, the texts McGuire cites, which he claims support his economic underpinnings, actually refute his economic underpinnings.

For example, John Mikesell, in *Fiscal Administration* (one of McGuire's cited texts) wrote:

***Public finance is not the same as business finance***, although the two are related and use many of the same tools. One difference is in ultimate objectives. Financial management in business seeks to increase the value of the firm to its owners by judicious allocation and control of its resources. Public financial management uses similar analytic, technical, and managerial tools to allocate and control finances, but governments differ from private businesses in terms of resource constraints, ownership and objectives. Four important differences exist: governments may tax to enlarge their resources; "ownership" of the government is not clear because many stakeholders – including at least taxpayers, those benefiting from particular government services, and those providing government services – share a legitimate interest in government decisions; the value of government services is neither easy to quantify nor reflected in a single measure (like the sales or profits of a business enterprise); and governments are dealing with the public trust and reputations of all the citizenry... The fundamental idea that the

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<sup>429</sup> See McGuire Report, para. 22 and footnote 21.

<sup>430</sup> See McGuire Report, para. 22.

<sup>431</sup> See McGuire Report, para. 22.

<sup>432</sup> See McGuire Report, footnotes 21-23.

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provider of a valued product can capture a portion of that value – a link between creating value and receiving revenue from that value – is broken for government operations. ***Government finance, for this reason, is fundamentally different from business finance.***<sup>433</sup> [emphasis added]

Mr. Mikesell goes on to conclude that:

Logically, budget allocation is simple: allocate funds among government programs until an additional dollar moved to any program yields an additional return to society equal to the return lost from the program from which that dollar was taken. [i.e. marginal cost analyses] That is the public sector equivalent of the familiar resource allocation rule for profitability in business operations. But the private decision maker maximizes a clear and measurable objective – profit – and measuring profitable return from several lines of operation is feasible because the standard is clearly calibrated, uniform, and measured with a common denominator (profit). Public section operations usually (1) have multiple objectives (e.g., subsidized school lunches both feed children and support the income of farmers), (2) have conflicting objectives (e.g., the reservoir needs to be nearly empty to provide flood control and to be nearly full to allow water skiing), and (3) have no standard measure or common yardstick to compare the return from various programs (e.g., the gains from cleaner rivers are not measured in the same units as are reduced traffic fatalities). Furthermore, the beneficiaries of the various programs often are not the same people, so choices among programs cause there to be distributional winners and losers, in violation of the Pareto criterion. In addition, taxpayers paying for the programs may well not be the people benefiting from the public services being provided, complicating the decision-making process even more, as does the fact that program beneficiaries are not evenly distributed among the electoral districts of the lawmakers deciding what programs will receive appropriations. Hence, the simple public program rule, so easy to define, may only be a glimmer in the foggy politics of budget decisions. Lawmakers working in the public interest face tough choices, well beyond the complexities a business executive will confront.<sup>434</sup>

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<sup>433</sup> See Mikesell, John L. Fiscal Administration 10<sup>th</sup> Edition, 2018, pp. 2-3. (footnote omitted).

<sup>434</sup> See Mikesell, John L. Fiscal Administration 10<sup>th</sup> Edition, 2018, p. 259 (footnote omitted).

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Because these multiple and mixed objectives cannot be weighed scientifically and because achievement of objectives cannot be easily measured across programs, the budget process is political, involving both pure bargaining or political strategies and scientific analysis.<sup>435</sup>

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And legislators at all levels of government seek to bring government business to their own constituencies, often with minimal regard to whether that is the most efficient way of delivering services to the public as a whole.<sup>436</sup>

Additional quotes from McGuire's cited texts that undermine his assumptions include:

...a bureaucrat's salary is typically unrelated to efficiency.... The goal of the bureaucrat is, therefore, to maximize the size of the agency he controls....<sup>437</sup>

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[Governments] often ignore or fudge orders to perform cost-benefit analyses.... When cost-benefit analyses are done, the quality is often poor.... A further problem is that the whole exercise can be subverted when inherently difficult-to-measure considerations are required to be brought into play.<sup>438</sup>

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[In moving money between activities,] one should never underestimate the capacity of politicians to do the wrong thing.<sup>439</sup>

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...irrational choices will be made [by governments], resources will be misallocated, and scams will be implemented. Sound governance processes and institutions can improve the odds of reasonable choices, but that's all.<sup>440</sup>

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<sup>435</sup> See Mikesell, John L. *Fiscal Administration* 10<sup>th</sup> Edition, 2018, p. 56.

<sup>436</sup> See Mikesell, John L. *Fiscal Administration* 10<sup>th</sup> Edition, 2018, p. 57.

<sup>437</sup> See Gruber, Jonathan. *Public Finance and Public Policy*, 5<sup>th</sup> Edition, 2016, p. 265.

<sup>438</sup> See Rosen, Harvey S. and Gayer, Ted. *Public Finance*, 10<sup>th</sup> Edition, 2014, p. 169.

<sup>439</sup> See Mikesell, John L. *Fiscal Administration* 10<sup>th</sup> Edition, 2018, p. 45.

<sup>440</sup> See Mikesell, John L. *Fiscal Administration* 10<sup>th</sup> Edition, 2018, p. 34.

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Third, another important element in the concept of opportunity cost is that of constraint or scarcity. McGuire himself notes that this is a foundational element and refers to it when he discusses diversion of services.<sup>441</sup> He explains that because counties are constrained, they must divert services rather than incur incremental costs, and so he uses opportunity costs to measure these diversions.<sup>442</sup> By his reasoning, this implies that every time the county spends an hour or resources to respond to opioid addiction, there is a corresponding decrease in time or resources spent on other drugs or issues. In other words, spending time or resources on opioid abuse related issues prevents the county from performing other services.

Although this is a fundamental premise in McGuire's damages theory, he does nothing to confirm that this actually occurred in Cuyahoga or Summit Counties. He is unable to identify a single service that was not performed due to opioids. He went to great lengths in his deposition to explain that it doesn't matter what service or expense was foregone,<sup>443</sup> but more importantly he never demonstrates whether any service or expense was foregone.

In fact, the Plaintiffs' own financial data, which McGuire ignored, suggests that the affected divisions did not divert services to address opioid issues. Both Cuyahoga and Summit Counties significantly underspent their budgets in the affected divisions identified by McGuire. A review of the Cuyahoga County CAFRs reveals that between 2012 and 2017, actual expenditures in the affected divisions totaled \$101 million less than had been budgeted and approved.<sup>444</sup> In Summit County, the affected divisions spent \$37 million less between 2012 and 2017 than had been budgeted.<sup>445</sup> Furthermore, several of the divisions have maintained enormous fund balances far in excess of what is needed from an operational perspective. For example, the Summit County ADM division carried a fund balance (or cash balance) of more than \$45 million at the end of 2017.<sup>446</sup> This amount represents nearly an entire year's worth of expenditures for the department. Summit County ADM operated on a fund balance of less than

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<sup>441</sup> See McGuire Report, para. 22.

<sup>442</sup> See McGuire Report, para. 23-24.

<sup>443</sup> See deposition of Thomas McGuire dated April 30, 2019, pp. 517:12-521:1.

<sup>444</sup> See Appendix 6 – Comparison Between Budgeted and Actual Expenditures, Cuyahoga County.

<sup>445</sup> See Appendix 7 – Comparison Between Budgeted and Actual Expenditures, Summit County.

<sup>446</sup> See SUMMIT\_001103655.

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\$18 million in 2009 when expenditures were significantly higher than in 2017, but the balance has steadily increased year after year due to the division spending less than the revenue it has received.<sup>447</sup> Summit County Children Services has carried a fund balance in excess of \$30 million for the vast majority of the alleged damage period, representing as much as 75% of annual expenditures.<sup>448</sup>

The foregoing suggests that the counties did not experience constraint-driven diversion of resources. Ample resources existed in several of the divisions to provide significant levels of additional services. To the extent the counties chose not to provide additional services, it was not due to constraints caused by addressing opioid abuse related issues.

Fourth, McGuire's calculations are inconsistent with the manner in which damages have been described in this case. The December 19, 2018 Opinion and Order issued in this case states the following:<sup>449</sup>

The Court thus concludes that while Cities and Counties cannot recover ordinary costs of services provided in their capacity as a sovereign, Cities and Counties should be able to recover costs greatly in excess of the norm....

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Certainly, some of Plaintiffs' alleged costs are costs associated with the ordinary provision of services to their constituents in their capacity as sovereigns. . . . These costs cannot be recovered unless Plaintiffs can prove they go beyond the ordinary provision of those services.

Clearly, McGuire's methodology does not identify costs greatly in excess of the norm. He does not attempt to establish what a normal level of cost would have been "but for" the allegations and does not attempt to identify or calculate incremental increases in cost above that

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<sup>447</sup> See SUMMIT\_001103655.

<sup>448</sup> See SUMMIT\_002057610, SUMMIT\_002057852, and SUMMIT\_002058218.

<sup>449</sup> See Opinion and Order dated December 19, 2018 (pp. 19-20) in the matter The County of Summit, Ohio et al. vs. Purdue Pharma L.P. et al.

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norm. Instead, he is merely calculating what portion of the “ordinary provision” of services was spent on opioid-related issues.

Finally, when McGuire chooses the affected costs that he then multiplies by the factors that Cutler determines, he bases his selection on a determination of “variable” and “fixed” costs.<sup>450</sup> These are standard accounting terms. However, his application of these terms is inconsistent with any definition of variable and fixed costs in standard accounting literature and is inconsistent with how these terms are used in the profession.

Variable costs are costs that vary in total in direct proportion to changes in activity. Cost of materials and hourly labor are typical examples of variable costs. Fixed costs are costs that are not immediately affected by changes in activity. Salaries and rent are common examples of fixed costs.<sup>451</sup> However, McGuire’s identification of variable costs is entirely inconsistent with these common definitions and the way they are applied in practice. In fact, 70% of his total “variable costs” are salaries, which are almost universally regarded as fixed expenses.<sup>452, 453</sup> McGuire also describes the costs as “affected costs” despite the fact that they remain the same regardless of the services rendered. McGuire’s manufactured definition of variable cost is necessary to prop up his damages model, which does not identify increases in costs above the norm but rather simply identifies static costs that are part of the ordinary provision of service and unchanged by varying service demands.

## **B. Unreliable Determination of “Affected Cost”**

The second category of fatal error relates to McGuire’s calculation of “affected costs.” As previously discussed, he quantifies opportunity costs related to opioid abuse in the following manner. The “affected costs” are calculated in steps (1) and (2) below:

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<sup>450</sup> See McGuire Report, para. 58-61.

<sup>451</sup> See Horngren, Sundem, and Stratton. *Introduction to Management Accounting*. 12<sup>th</sup> Edition, 2002, pp.43-47; Horngren, Harrison, and Robinson. *Principles of Financial & Management Accounting*. 1994, pp. 810-811; Barfield, Raiborn, and Kinney. *Cost Accounting Traditions and Innovations*. 2<sup>nd</sup> Edition, 1994, pp. 37-40.

<sup>452</sup> See Horngren, Sundem, and Stratton. *Introduction to Management Accounting*. 12<sup>th</sup> Edition, 2002, pp.43-47; Horngren, Harrison, and Robinson. *Principles of Financial & Management Accounting*. 1994, pp. 810-811; Barfield, Raiborn, and Kinney. *Cost Accounting Traditions and Innovations*. 2<sup>nd</sup> Edition, 1994, pp. 37-40.

<sup>453</sup> See Appendix 8 – McGuire’s Total Affected Costs, Cuyahoga and Summit Counties.

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<b>Example: Damages to Cuyahoga County Sheriff's Department</b>			<b>2017</b>
McGuire	<b>(1) Total Costs Incurred by Cuyahoga Sheriff</b>		<i>(\$ in millions)</i>
	Total Compensation Costs	[a]	\$32.9
	Affected Non-Compensation Costs	[b]	\$0.8
	<b>(2) Share of Costs in Relevant Divisions that Address Harms</b>		
	Overhead Adjustment	[c]	93.2%
	Crime-Focused Percentage	[d]	68.7%
	Offset to Affected Costs	[e]	\$0.0
	<b>(3) Share of Harms Attributable to Defendants' Misconduct</b> <i>(taken from Cutler Report)</i>		
Cutler		[f]	5.2%
	<b>Damages to Cuyahoga Sheriff</b>	$([a]*[c]*[d]+[b]-[e])*[f]$	\$1.1
	(4) Share of Harm Attributable to Opioids ("Opioid-Related %")	[g]	11.0%
	(5/6) Share of Harm (based on Regression)	[h]	47.7%
	<b>(3) Share of Harms Attributable to Defendants' Misconduct</b>	$[f]=[g]*[h]$	5.2%

At least three of the elements of McGuire's calculation in steps (1) and (2) of reaching "affected costs" present significant problems:

- [b] Affected Non-Compensation Costs: identifies certain non-compensation expense accounts that he believes reflect "costs that were incurred in the provision of services that were affected by the opioid crisis."<sup>454</sup>
- [c] Overhead Adjustment Factor: reduces identified compensation costs by "excluding estimates of costs related to staff in overhead or support activities."<sup>455</sup> McGuire performs this adjustment by reviewing job titles within employee headcount data or payroll expenditures and picking out employees that appear to relate to "overhead or support activities...that were unlikely to have been affected by the crisis."<sup>456</sup>

<sup>454</sup> See McGuire Report, para. 61.

<sup>455</sup> See McGuire Report, para. 60.

<sup>456</sup> See McGuire Report, para. 60.



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- [e] Offset to Affected Costs: deducts any “revenue received from other governments, or any other external sources, that was provided for the sole purpose of funding opioid-specific activities...”<sup>457</sup>

**a) Affected Non-Compensation Costs and Overhead Adjustment Factor**

It is unclear how McGuire arrived at final decisions on how to classify personnel as having been “affected” by opioid-related issues for purposes of determining the overhead adjustment factor. The same is true for McGuire’s identification of affected non-compensation costs. McGuire’s description of his own process makes clear that most of his determinations were based solely on his own ‘judgment’ after reading things like job titles and salaries in the counties’ annual budgets.<sup>458</sup> McGuire also ‘think[s]’ that some of his determinations were made after discussions with consultants at Compass Lexecon.<sup>459</sup> McGuire suggests that local officials provided ‘general confirmation’ of determinations, but also makes clear that most of his determinations were not confirmed with county officials.<sup>460</sup>

And while McGuire states in his report that “identification [of costs that would be expected to vary] was also informed by discussion with the personnel in the respective divisions,”<sup>461</sup> it does not appear that McGuire met with any representatives from Cuyahoga County or Summit County.<sup>462</sup> Plaintiffs produced notes prepared by McGuire’s staff from interviews with City of Cleveland personnel, but there are none from Summit or Cuyahoga.<sup>463</sup> Additionally, in his deposition, McGuire could not recall a single conversation with county personnel and had no recollection of who his staff interviewed.<sup>464</sup> McGuire should have, at a

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<sup>457</sup> See McGuire Report, para. 35.

<sup>458</sup> See deposition of Thomas McGuire dated April 23, 2019, pp. 116:4-117:19 and 118:22-119:18.

<sup>459</sup> See deposition of Thomas McGuire dated April 23, 2019, pp. 117:20-118:2.

<sup>460</sup> See deposition of Thomas McGuire dated April 23, 2019, pp. 120:3-24 and 121:20-122:13.

<sup>461</sup> See McGuire Report, para. 59.

<sup>462</sup> McGuire references his discussions with county personnel in para. 9, 51, and 59 of his report; however, only lists interviews with Cleveland personnel in Appendix IV.B (Materials Considered).

<sup>463</sup> See McGuire 0001-0007.

<sup>464</sup> See deposition of Thomas McGuire dated April 23, 2019, pp. 73:2-8; 74:16-22; 75:15-76:17; 77:8-17; 81:14-82:9; 90:6-17.

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minimum, asked the county personnel if his underlying assumptions were reasonable regarding overhead adjustments and non-compensation costs.

Although I did not have the same access to county personnel, I was still able to identify discrepancies between the non-compensation costs McGuire identified and costs identified by county personnel. Mr. Kearns performed a cost analysis in 2017 that identified “cost categories that [Children Services] felt were child-specific and were related – or could be impacted by the opioid epidemic in the county.”<sup>465</sup> Comparison of this cost analysis<sup>466</sup> to McGuire’s identified accounts revealed that McGuire included numerous additional non-compensation accounts.<sup>467</sup> There is no evidence that McGuire considered the estimate developed by county personnel and McGuire provided no justification for the inclusion of these additional non-compensation accounts. It is unlikely that McGuire would have more insight than an actual county employee regarding whether these expenses were impacted by opioids.

In my opinion, McGuire’s inability to support his decisions surrounding the development of his overhead adjustment factors and identified non-compensation costs render his damages (that are partially based off these amounts) speculative.

**b) Offset to Affected Costs**

McGuire’s identification of “affected costs” is also unreliable because he incorrectly accounts for offsetting revenues from other government or external sources. He acknowledges that both Cuyahoga County and Summit County received revenues in the form of “intergovernmental transfers” and that some of the funds received from other governments (state and/or federal), or other external sources, do not necessarily represent a cost to the counties. McGuire explicitly states that he excludes these funds from his “affected costs” if received “for the sole purpose of funding opioid-specific activities.”<sup>468</sup> The important distinction in McGuire’s methodology relates to the stipulation under which the funds were provided – if the funds were

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<sup>465</sup> See deposition of Darin Kearns dated December 5, 2018, pp.270:23-271:6.

<sup>466</sup> See SUMMIT\_000344091.

<sup>467</sup> Also note that Kearns did not include any compensation costs in his analysis, whereas McGuire includes all compensation costs.

<sup>468</sup> See McGuire Report, para. 35.

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provided specifically related to the opioid epidemic, they offset losses to the county because the funds were not diverted from any other use. However, if the funds would have been provided absent the opioid epidemic, these are not netted out because “any funds that are devoted to opioid-related activities decreases funds available for other activities.”<sup>469</sup>

However, the relevant question is whether the grant funds apply to the affected service, whether or not the service is given an opioid-related designation or name. But even if McGuire’s description of how to account for intergovernmental transfers were correct, he has incorrectly ignored numerous sources of revenue that are provided to “affected divisions” on a reimbursement basis. It follows that if a division is experiencing an increase in opioid-related activities, which in turn leads to an increase in reimbursements from an external source, these amounts should be excluded from his damage calculations. McGuire mentions something to this effect in footnote 35 of his report:<sup>470</sup>

There may be outside funds (e.g. state or federal) that are provided to a county division that, while not explicitly mandated for use against the opioid-epidemic, are *indirectly tied* to the amount of activity provided by a division which may have increased as a result of the opioid epidemic. For the purpose of my current analysis, I do not net out these transfers. [emphasis added]

Some funds included in McGuire’s “affected costs” are provided to the affected divisions and are directly tied to the amount of activity allegedly affected by opioid abuse, which are described in further detail below.

#### **Title IV-E Funds**

For example, a significant portion of Cuyahoga County Children and Family Services’ and Summit County Children Services’ expenditures are funded by the federal government via the Social Security Act, with a majority of these funds coming from Title IV-E provisions.

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<sup>469</sup> See McGuire Report, para. 36.

<sup>470</sup> See McGuire Report, footnote 35.

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These Title IV funds reimburse the counties for expenditures associated with child placements and are described in the Cuyahoga County 2014/2015 Budget Plan as follows:<sup>471</sup>

Title IV-E - The County is reimbursed through Title IV-E of the Social Security Act for expenses associated with the placement of children who are at risk or victims of abuse or neglect substitute placement. The IV-E entitlement comes to the County through two allocations: Administration and Maintenance. The Administration allocation is the larger of the two and provides reimbursement for administrative expenses (including salary and benefits) and Maintenance provides reimbursement for the actual cost of substitute care (e.g. per diem paid to foster care homes and residential care providers).

The 2016 Summit County Children Services budget has similar language:<sup>472</sup>

Title IV-E Administration dollars are a reimbursement of social service cost pool based on the state formulas and the Random Moment Studies. The 2016 Budget is based on recent trending and formulated based upon projected expenditures and random moment coding. As costs decrease, IV-E revenue is proportionatly (*sic*) lower.

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Title IV-E Placement revenues are reimbursements for IV-E eligible children in the care of SCCS. Reimbursements are at prescribed rates based on the level of care subject to cap limits....

Title IV funds are directly connected to the number of children in custody/placement and fluctuate accordingly. This relationship was highlighted in the Cuyahoga 2016/2017 Budget plan referring to the decrease in Title-IV money received:<sup>473</sup>

Title-IV revenue, which reimburses the County for out-of-home board and care expenses, has been declining due to reductions in the number of children in placement.

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<sup>471</sup> See Cuyahoga 2014-2015 Budget Plan, p. IV-4.

<sup>472</sup> See Children Services 2016 Budget, p. 61.

<sup>473</sup> See Cuyahoga 2016-2017 Budget Plan, p. IV-4.

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Following McGuire's own logic, any funds received on a reimbursement basis (although not specifically identified for combating opioid-related issues) could not have been diverted from any other use. Thus, these Title-IV-E funds should have been excluded from McGuire's "affected costs" (e.g., salaries, foster care homes, child board and care costs).

I quantified Title IV-E funds received by Cuyahoga and Summit over McGuire's presumed damage period. The cumulative revenues are shown below:

- Cuyahoga County Title IV-E (2006-2017): \$478,542,865 <sup>474</sup>
- Summit County Title IV-E (2006-2018): \$157,077,917 <sup>475</sup>

As evidenced, these funds comprise a significant source of revenue for Cuyahoga County Children and Family Services and Summit County Children Services. By not subtracting these reimbursements from the federal government from his "affected costs," McGuire is overstating the amount of "affected costs." Excluding these amounts alone reduces his damages (under Approach 1- Damages from Defendants' Misconduct - Direct Shipments Regression Method) for Cuyahoga County Children and Family Services and Summit County Children Services by approximately \$16.6 million (33%) and \$12 million (32%) in Cuyahoga and Summit Counties, respectively.<sup>476</sup> This error rate is indicative of a speculative and unreliable methodology.

My review of the relevant documents has shown various other affected divisions that also receive external funds on a reimbursement basis, which McGuire incorrectly handled. Different forms of reimbursement (and which county divisions receive these funds) are described below:

**Reimbursements from the State of Ohio Public Defender**

Counties are required to provide legal counsel to indigent individuals. Cuyahoga and Summit Counties accomplish this through two avenues: (1) assignment of an attorney from the Public Defender's Office, or (2) the assignment of a private attorney who is reimbursed by the

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<sup>474</sup> See Appendix 9 – Offset of Title IV-E Funds, Cuyahoga County Children & Family Services and CUYAH\_001714459.

<sup>475</sup> See Appendix 10 – Offset of Title IV-E Funds, Summit County Children Services and SUMMIT\_002054603.

<sup>476</sup> See Appendices 9 – Offset of Title IV-E Funds, Cuyahoga County Children & Family Services, and 10 – Offset of Title IV-E Funds, Summit County Children Services.

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county. Costs incurred by Cuyahoga and Summit Counties related to payment for private attorneys are captured under expense accounts titled “assigned counsel”<sup>477</sup> or “attorney fees,”<sup>478</sup> respectively. These indigent defense costs are partially reimbursed by the State of Ohio Public Defender.<sup>479</sup> Effective reimbursement rates have varied over the years and are reported in the counties’ budgets<sup>480</sup> and on the State of Ohio Public Defender website.<sup>481</sup> McGuire includes the Public Defender’s Office, “assigned counsel,” and “attorney fees” expense accounts in his affected non-compensation costs for the following divisions and should therefore include an offset for reimbursed funds:

- Cuyahoga County: Office of the Public Defender, Court of Common Pleas, and Juvenile Court
- Summit County: Court of Common Pleas, Juvenile Court<sup>482</sup>

McGuire was not aware that these costs are partially reimbursed to the Counties and when made aware of this fact at his deposition he stated, “...I think your -- if what you’re saying is has some basis, then it’s something I would want to look at.”<sup>483</sup>

#### **Reimbursements from Title IV funds for Juvenile Cases**

Similar to reimbursements for Cuyahoga County Children and Family Services and Summit County Children Services, certain judicial divisions that handle juvenile cases are also subject to reimbursement from Title IV-E funds.<sup>484</sup> In Cuyahoga County, the Juvenile Court

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<sup>477</sup> See Cuyahoga 2016/2017 Budget Plan, p. 146.

<sup>478</sup> See Summit County 2018 Operating Budget, pp. 380-381 and p. 405.

<sup>479</sup> See <https://opd.ohio.gov/Reimbursement/Reimbursement#105161-application-fee--recoupment>.

<sup>480</sup> See Cuyahoga County Budget Plans, “Office of the Public Defender” section, and Summit County Operating Budgets, “General Fund – Attorney/Jury Fees” section.

<sup>481</sup> See State of Ohio Public Defender - Reimbursement History for Purposes of Calculating Recoupment (<https://opd.ohio.gov/Portals/0/PDF/Reimbursement/Reimbursement-Percent-History.pdf?ver=2019-02-21-093626-180>).

<sup>482</sup> See Reimbursement for the Juvenile Court (while not explicitly stated in the Juvenile Court budget discussion) was confirmed through review of General Fund revenue accounts: “Defense of Indigent” and “Juvenile Atty Fee Reimbursement” in the Summit County Banner accounting system (SUMMIT\_002054603).

<sup>483</sup> See deposition of Thomas McGuire dated April 30, 2019, pp. 827:10-828:12.

<sup>484</sup> See <http://codes.ohio.gov/orc/2151.152v1>.

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receives Title IV-E revenues<sup>485</sup> that fund salaries and other miscellaneous expenses.<sup>486</sup> The Cuyahoga Office of the Prosecutor receives reimbursements from Title IV-D<sup>487</sup> and Title IV-E funds for the interdepartmental divisions of Child Support and Children and Family, respectively.<sup>488, 489</sup> In Summit, the Prosecutor's office receives Title IV-E funding for prosecutors assigned to abuse/dependency/neglect cases.<sup>490</sup> McGuire failed to consider these reimbursements in his damage calculation.

### **Reimbursements by City Municipal Courts**

Municipal courts within the cities also provide sources of revenue to the counties. McGuire offsets the City of Akron's "indigent defense contract" against Summit's Affected Costs.<sup>491</sup> However, he fails to offset reimbursements received by Cuyahoga from Cleveland for providing legal counsel to indigent clients in the Cleveland Municipal Court.<sup>492</sup>

### **Reimbursements by the State of Ohio for Judges' Salaries**

The Cuyahoga County Court of Common Pleas was reimbursed from the State of Ohio for the compensation of its 34 elected judges.<sup>493</sup> McGuire failed to consider this since he did not offset this reimbursement from the "affected compensation costs" which include judges' salaries.<sup>494</sup>

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<sup>485</sup> See CUYAH\_001714459.

<sup>486</sup> See CUYAH\_014627783.

<sup>487</sup> See <http://codes.ohio.gov/orc/3125>.

<sup>488</sup> See Cuyahoga 2018/2019 Budget Plan, "Office of the Prosecutor" section.

<sup>489</sup> See Children and Family Division is also supported by State Child Welfare Allocations and the County's Health and Human Services Levy (Cuyahoga 2018/2019 Budget Plan, "Office of the Prosecutor" section).

<sup>490</sup> See deposition of Brad Gessner dated December 3, 2018, pp. 286:23-287:12.

<sup>491</sup> See McGuire Appendix IV.D-4.1, Court of Common Pleas.

<sup>492</sup> See Cuyahoga County 2018/2019 Budget Plan, "Office of the Public Defender" section.

<sup>493</sup> See Cuyahoga County Court of Common Pleas 2017 Annual Report, "Fiscal Report" section. "Salary and Fringe Benefits is the largest expense category representing compensation to approximately 513 full and part-time staff, inclusive of the 34 elected judges who are paid by the State of Ohio."

<sup>494</sup> This reimbursement has not been confirmed for Summit County. To the extent this is a statewide policy, an offset should also be applied to Summit County.

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In general, it does not appear that McGuire made any real attempt to review accounting documents, budgets, or even testimony that clearly identify revenues derived from reimbursements, which by his own definition, are not at issue in this case and should be removed from damages. The demonstrated lack of knowledge regarding funding sources and resulting high error rates are yet another reason McGuire's opinions on damages should be rejected.

### **C. Inappropriate, Deficient, and Insufficient Data**

McGuire's damages are entirely dependent on the work of Cutler, who bases his work on inappropriate, deficient, and insufficient data, fails to properly analyze and vet his underlying data sources, and ignores a significant amount of county specific data produced by Plaintiffs. McGuire admits that selecting the right data is a crucial step, and the failure to do so represents a critical deficiency in Cutler's, and therefore McGuire's opinions.<sup>495</sup>

As previously described, McGuire calculates damages for Bellwether governments by analyzing the "increased demand for services resulting from defendants' misconduct" using the following formula:<sup>496,497</sup>

$$\begin{aligned} \text{Damages} = & \quad (1) \text{ Total Costs Incurred in Bellwether Divisions Affected by Opioid Crisis} \\ & \quad \times (2) \text{ Share of Total Costs in Relevant Divisions That Address Harms} \\ & \quad \times (3) \text{ Share of Harm Attributable to Defendants' Misconduct} \end{aligned}$$

McGuire relies on Cutler to provide the last element of his damage calculation, (3) share of harm attributable to defendants' misconduct. This part of the equation is described within Cutler's report as the following:<sup>498</sup>

$$\begin{aligned} & (3) \text{ Share of Harms Attributable to Defendants' Misconduct} \\ & = (4) \text{ Share of Harms Attributable to Opioids ("Opioid-Related \%")} \\ & \times (5) \text{ Share of Opioid Harms Attributable to Opioid Shipments} \end{aligned}$$

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<sup>495</sup> See Deposition of Thomas McGuire dated April 23, 2019, p. 143:7-23.

<sup>496</sup> See McGuire Report, para. 16 and 72.

<sup>497</sup> Note that McGuire and Cutler do not assign numbers to calculation steps within their individual reports (i.e., numbers 1-6 above). I have included numbers here for illustrative purposes.

<sup>498</sup> See McGuire Report, footnote 15 and Cutler Report, para. 23.



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× (6) Share of Opioid Shipments Due to Defendants' Misconduct

<b>Example: Damages to Cuyahoga County Sheriff's Department</b>			<b>2017</b>
McGuire	<b>(1) Total Costs Incurred by Cuyahoga Sheriff</b>		<i>(\$ in millions)</i>
	Total Compensation Costs	[a]	\$32.9
	Affected Non-Compensation Costs	[b]	\$0.8
	<b>(2) Share of Costs in Relevant Divisions that Address Harms</b>		
	Overhead Adjustment	[c]	93.2%
	Crime-Focused Percentage	[d]	68.7%
	Offset to Affected Costs	[e]	\$0.0
	<b>(3) Share of Harms Attributable to Defendants' Misconduct</b>		
Cutler	<i>(taken from Cutler Report)</i>	[f]	5.2%
	<b>Damages to Cuyahoga Sheriff</b>	$([a]*[c]*[d]+[b]-[e])*[f]$	\$1.1
	(4) Share of Harm Attributable to Opioids ("Opioid-Related %")	[g]	11.0%
	(5/6) Share of Harm (based on Regression)	[h]	47.7%
	<b>(3) Share of Harms Attributable to Defendants' Misconduct</b>	$[f]=[g]*[h]$	5.2%

Steps five and six in Cutler's report are outside the scope of my report. However, I did analyze Cutler's determination of the (4) Share of Harms Attributable to Opioids (referred to elsewhere as the "Opioid-Related %") within the affected divisions.

The Opioid-Related % step attempts to quantify the yearly percentage of opioid-related activities undertaken by each affected division. Oftentimes in Cutler's analysis this includes first calculating the share of harms attributable to all drugs, and then further apportioning to opioids. This step is foundational to not only Cutler's calculations, but McGuire's damages calculations. To the extent Cutler's determination of (4) Opioid-Related % in the equation above is unreliable, the entire damage model fails and must be disregarded. The sources used by Cutler to evaluate the Opioid-Related % calculations are outlined below:

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			Data Sources for Cutler's Opioid-Related % Calculations							
			Total Incident Counts				Drug-Related Incidents	Opioid-Related Incident		
County	McGuire Damage Category	Opioid-Related %	NIBRS	BJS	Juvenile Court Cases	Prosecutor Database	US DOJ	NFLIS	NSDUH	PCSAO
Cuyahoga	Children & Family Services	Removals								✓
	Prosecutor					✓	✓	✓	✓	
	Public Defender	Charges				✓	✓	✓	✓	
	Sheriff					✓	✓	✓	✓	
	Court of Common Pleas	Adult Charges				✓	✓	✓	✓	
	Jail					✓	✓	✓	✓	
	Juvenile Court	Juvenile Cases			✓		✓	✓	✓	
Summit	Children Services	Removals								✓
	Prosecutor		✓				✓	✓	✓	
	Court of Common Pleas	Crimes	✓				✓	✓	✓	
	Sheriff		✓				✓	✓	✓	
	Adult Probation		✓				✓	✓	✓	
	Sheriff Jail	Prisoners		✓			✓	✓	✓	
	Alternative Corrections			✓			✓	✓	✓	
	Juvenile Court	Juvenile Cases			✓		✓	✓	✓	

As shown in the table above, Cutler relies on various data sets from local, state, and federal sources in determining the (4) Opioid-Related %. However, the data utilized to calculate these opioid-related percentages are deficient in numerous ways, which will be discussed in the following sections of my report. As previously discussed, McGuire's entire methodology should be rejected for a variety of reasons. Setting the methodological deficiencies aside, McGuire's adoption of Cutler's Opioid-Related % renders his damages speculative and unreliable for the reasons discussed below.

### **Children and Family Services Data**

Cuyahoga County Children and Family Services and Summit County Children Services comprise the largest divisional damages calculated by McGuire. Cutler calculates his "opioid-related percent of child removals"<sup>499</sup> for the period 2006 through 2017 based on a single data point obtained from a survey completed by the Public Children Services Association of Ohio ("PCSAO"). This survey reported the percentage in 2015 of "children taken into custody [with]

<sup>499</sup> Or "Opioid-Related % of custodies" in the McGuire Report (See McGuire Appendix IV.D-2.1 and IV.C-2.1).

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parental drug use” and the percentage “of children taken into custody [with] parents who were using opioids at time of removal.”<sup>500</sup> Results are summarized in the table below:

PCSAO Survey Results	Ohio (Statewide)	Cuyahoga	Summit
Drug-Related Removals	50%	75%	50%
Opioid-Related Removals	28%	11%	25%

This survey is unreliable as a primary source to determine “opioid-related percent of child removals” for myriad reasons including the following:

- The survey period is a single year.
- The survey instructions state, “This survey is intended to provide a few key data points, *not an in-depth analysis*.” [emphasis added]<sup>501</sup>
- The survey allows for responders to provide “[a]ctual [d]ata (i.e., desk review or hand-counted) or [e]stimated [d]ata.”<sup>502</sup> As such, it is not known if the drug and opioid-related removal percentages for Cuyahoga County and Summit County represent actual or estimated data.
- The opioid-related removal percentages for Cuyahoga County (11%) and Summit County (25%) were vastly different and the reason for the difference is unknown.
- The opioid-related removal percentage purported in one Ohio county was 100%.

The demographic below shows the exact map from which Cutler sourced his Opioid-Related % of removals:<sup>503</sup>

<sup>500</sup> See <http://www.pcsao.org/pdf/advocacy/OpioidBriefingSlidesUpdated12-17.pdf>, slides 9-10.

<sup>501</sup> See CUYAH\_002479900.

<sup>502</sup> See questions 5 and 6 of the PCSAO survey at CUYAH\_002479900.

<sup>503</sup> See <http://www.pcsao.org/pdf/advocacy/OpioidBriefingSlidesUpdated12-17.pdf>, slide 10.



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A spreadsheet accompanying this statement outlines the significant differences between the results of the PCSAO survey and the SACWIS data mentioned in the statement above, which Cutler ignores. Specifically, the percentage difference between the count of “entries into custody” (or child removals) in 2015 between the PCSAO survey and the SACWIS data was - 15% and 55% for Cuyahoga and Summit Counties, respectively.<sup>505</sup> The internal discussions regarding reliability of the data raise questions about Cutler and McGuire’s reliance on this data for calculating damages due to the Counties. In his deposition, Cutler acknowledges that he did not review the survey questions or any of the underlying data and/or questions surrounding the accuracy of the survey.<sup>506</sup> Ignoring relevant data, and utilizing data without evaluating its veracity is a significant deficiency and exemplifies analysis that does not meet the standards for expert testimony.

I also identified further significant discrepancies between the PCSAO drug-related removals statistics and other external sources of information. There are significant differences between the results of the PCSAO survey and the Adoption and Foster Care Analysis and Reporting System (“AFCARS”) data relied upon by Plaintiffs’ own expert, Nancy Young. Specifically, the AFCARS data indicates that in 2015, “parental drug use as a factor for reason for [child] removal in Cuyahoga and Summit Counties” occurred in 21.1% and 27.8% of cases, respectively.<sup>507</sup> However, the PCSAO survey utilized by Cutler found that parental drug use in Cuyahoga and Summit Counties was a factor in 75% and 50% of removals that same year.<sup>508</sup> Plaintiffs’ own experts cannot seem to agree on or identify the best source of information for child removals involving any kind of drug abuse, much less specific to opioids. Further, neither Cutler nor McGuire evaluated the various data sources available to them or analyzed which was most reliable. Both ignore Plaintiffs’ own data and utilize a highly suspect, unreliable survey without evaluation or vetting. This is not consistent with the standards for expert testimony and renders the conclusion of both Cutler and McGuire unreliable.

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<sup>505</sup> See CUYAH\_002479899.

<sup>506</sup> See deposition of David Cutler dated April 26, 2019, p. 262:9-263:1 and 270:2-21.

<sup>507</sup> See Young Report, p. 19.

<sup>508</sup> See Cutler Report, Table III.6.

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Cutler compounds this problem exponentially by backcasting and forecasting the unreliable 2015 figure without examining the Counties' actual children services' data. Because the survey was only produced for 2015, Cutler extrapolates the Cuyahoga and Summit percentages for the rest of the years using data from the ADAMHS/ADM Boards. Cutler's backcast and forecast of "opioid-related percent of child removals" for the period 2006 through 2017 is contradicted by SACWIS data from Cuyahoga and Summit. Specifically, I noted the percent of opioid-related child removals per Cutler exceeded the percent of total drug removals for all drugs in the SACWIS data for the majority of the time period, which of course is impossible. Opioid removals cannot possibly exceed all drug-related removals, and in fact opioid removals are likely a modest percentage of drug removals.

**Table VI.C-1: Cuyahoga - Cutler Opioid-Related Removals v. SACWIS Drug Related Removals**

<b>Cuyahoga Removal Percentages</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
% of <i>Opioid Related</i> Removals in Cuyahoga per <i>Cutler</i>	4.5%	5.4%	6.2%	7.0%	7.4%	7.3%	7.2%	8.8%	10.1%	<b>11.0%</b>	14.9%	15.7%
% of <i>Drug Related</i> Removals in Cuyahoga per <i>SACWIS</i>	8.7%	10.7%	5.2%	3.1%	2.6%	5.8%	12.4%	14.3%	13.4%	12.6%	13.5%	17.0%
% of <i>Drug Related</i> Removals in Cuyahoga per <i>Young Report</i>	11.5%	11.0%	9.4%	11.1%	15.9%	17.9%	19.4%	21.7%	21.6%	21.1%	19.9%	24.0%

*Note:* SACWIS removals based on the removal reasons "Drug Abuse of parent," "Prenatal Drug Exposure," "Drug Abuse of child," and "Child affected by substance use."

*Source:* CUYAH\_002442182.

**Table VI.C-2: Summit - Cutler Opioid-Related Removals v. SACWIS Drug Related Removals**

<b>Summit Removal Percentages</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
% of <i>Opioid Related</i> Removals in Summit per <i>Cutler</i>	4.4%	5.1%	6.5%	8.8%	22.0%	21.2%	23.3%	24.7%	24.1%	<b>25.0%</b>	30.3%	27.0%
% of <i>Drug Related</i> Removals in Summit per <i>SACWIS</i>	13.6%	14.9%	9.9%	5.0%	7.4%	5.0%	7.3%	7.6%	12.4%	8.4%	9.1%	12.3%
% of <i>Drug Related</i> Removals in Summit per <i>Young Report</i>	10.2%	13.4%	11.6%	14.0%	16.2%	16.0%	19.8%	25.4%	29.0%	27.8%	30.6%	31.9%

*Note:* SACWIS removals based on the removal reasons "Drug Abuse of parent," "Prenatal Drug Exposure," "Drug Abuse of child," and "Child affected by substance use."

*Source:* SUMMIT\_002103952.

Even though SACWIS data may be unreliable and contain some limitations in the ability to specifically track opioid-related removals (which I intend to explore with the underlying case

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files when I receive them), it is still not logical for Cutler to conclude that opioid-related removals would exceed total drug related removals in the years identified above.

One of the reasons Cutler's opioid removal percentages are so inconsistent with the Plaintiffs' own data is due to the extrapolation performed by Cutler to fill in the remaining twelve years. Because the PCSAO survey was only published in 2015, Cutler relies on ADAMHS opioid client counts (Cuyahoga County) and ADM opioid-related treatment payments (Summit County) to estimate an "opioid-related percent of child removals" for all other years. In his deposition, Cutler states the following:<sup>509</sup>

The back casting that we're using from the 2015 report is based on the share of people with substance use that are related to opioids from the ADAMHS Board and the ADM Board. Those -- again, substance use disorder is a very severe form of utilization, and, of course, child removals is a very severe form of interaction with a family -- with a troubled family, so I was -- I felt confident in using the severe form of use disorder to back cast the severe form of child intervention.

However, Cutler has not performed any analysis that establishes the extent of the relationship between these two factors. Certainly, an economist is qualified to establish whether there is a correlation between these factors rather than speculating that such a relationship exists without testing the linearity of the relationship.

Furthermore, using the number/percentage of opioid clients served from the Cuyahoga County ADAMHS board annual report has several deficiencies in the data regarding completeness. The ADAMHS annual reports<sup>510</sup> outline several disclosures relating to the lack of completeness in client counts that are reported within their annual reports. I've included a few examples of these disclosures from the 2016 and 2017 ADAMHS annual reports:

- Several of the providers had to implement new billing systems to comply with federal claims requirements, therefore this data may not include all clients served.

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<sup>509</sup> See deposition of David Cutler dated April 26, 2019, p. 266:15-267:1.

<sup>510</sup> See ADAMHS 2006-2017 Annual Reports.



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- Due to the switching of service claiming from MACSIS to SHARES for Pilot Providers, some clients were not enrolled and/or claims not submitted so those clients were not counted.
- The numbers of clients served is generated from clients paid through the Multi-Agency Community Services Information System (MACSIS) billing system, and do not include individuals served through services paid for by grants to providers...We know we are serving thousands of people through grant funded programs. Now that the Board has transitioned to SHARES, we will have a more complete numbers in CY18.
- Medicaid Expansion continued to allow more people to receive treatment services previously paid for by the ADAMHS Board.

These disclosures relating to the concern over completeness of clients served is not mentioned by Cutler in his analysis, even though he bases his entire calculation on these percentages to forecast and backcast his opioid-related percent of removals for Cuyahoga County Children and Family Services.<sup>511</sup>

### **Crime Related Divisions Data**

Cutler estimates the Opioid-Related % for the crime related divisions by utilizing several data sources.<sup>512</sup> As seen in the Table VI.C-3 below, Cutler utilizes common data sources to analyze six crime related divisions in Cuyahoga County and seven crime related divisions in Summit County.

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<sup>511</sup> The ADAMHS opioid client count is also utilized in Cutler's calculation of Cuyahoga County ADAMHS opioid-related percentage of services and would share the same limitations and deficiencies as noted above.

<sup>512</sup> See Cutler Report, p. 17.



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**Table VI.C-3: Cutler's Share of Crime Attributable to Opioids**

			Data Sources for Cutler's Opioid-Related % Calculations						
			Total Incident Counts				Drug-Related Incidents	Opioid-Related Incident	
County	McGuire Damage Category	Opioid-Related %	NIBRS	BJS	Juvenile Court Cases	Prosecutor Database	US DOJ	NFLIS	NSDUH
<b>Cuyahoga</b>	Prosecutor	Charges				✓	✓	✓	✓
	Public Defender					✓	✓	✓	✓
	Sheriff					✓	✓	✓	✓
	Court of Common Pleas	Adult Charges				✓	✓	✓	✓
	Jail					✓	✓	✓	✓
	Juvenile Court	Juvenile Cases			✓		✓	✓	✓
<b>Summit</b>	Prosecutor	Crimes	✓				✓	✓	✓
	Court of Common Pleas		✓				✓	✓	✓
	Sheriff		✓				✓	✓	✓
	Adult Probation		✓				✓	✓	✓
	Sheriff Jail	Prisoners		✓			✓	✓	✓
	Alternative Corrections			✓			✓	✓	✓
	Juvenile Court	Juvenile Cases			✓		✓	✓	✓

As was the case with the data Cutler utilized for the Cuyahoga County Children and Family Services and Summit County Children Services divisions, there are significant deficiencies in the data Cutler used for his calculations of the Opioid-Related % for the Cuyahoga County and Summit County crime related divisions. In addition, Cutler never consulted county personnel to determine what county specific data was available,<sup>513</sup> and as a result, it is not evident that he analyzed county specific data produced by the Plaintiffs which reflected specific activity in the counties. Such data exists, but Cutler chose to ignore it. Instead, he uses national and state level data sources as a proxy for Cuyahoga and Summit Counties, which by definition are not specifically representative of county activity. Specific shortcomings for the highlighted data sources in Table VI.C-3 above are outlined below.

The first step in Cutler's Opioid-Related % calculation is to determine the amount of criminal activity as it relates to crime offenses, criminal bookings, or criminal charges depending on the affected division. As seen in Table VI.C-3 above, Cutler uses the FBI's National Incident Based Reporting System ("NIBRS"), the Bureau of Justice Statistics ("BJS") - Prisoner Statistics, Juvenile Court Cases, and the Cuyahoga County Prosecutor database.

<sup>513</sup> See deposition of David Cutler dated April 26, 2019, pp. 229:17-230:10.

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***Bureau of Justice Statistics (“BJS”)***: Cutler uses data from the Bureau of Justice Statistics in his calculation of the Summit County Opioid-Related % for the County Jail and Alternative Corrections divisions. The BJS data is described by Cutler as data related to the “distribution of crime across inmates in the Ohio state prison system.”<sup>514</sup> There are several flaws with using this data. First, the prisoner statistics are not specific to Ohio as Cutler incorrectly indicated in his report. Rather, the data is from “central respondents in each of the 50 state departments of correction, the Federal Bureau of Prisons, and 5 commonwealth territories annually.”<sup>515</sup> In addition, almost all prisoners in the BJS data are sentenced to more than one year.<sup>516</sup> This is not representative of the County Jail population as “jails are locally operated short-term facilities that hold inmates awaiting trial or sentencing or both, and inmates sentenced to a term of less than one year, typically misdemeanants.”<sup>517</sup> However, prisons are “longer-term facilities run by the state or the federal government that typically holds felons and persons with sentences of more than one year.”<sup>518</sup> Thus, Cutler’s use of national prison population statistics as a proxy for a local county jail is flawed because it fails to consider or account for the different inmate profiles. In turn, McGuire relying on these inputs calls into question damages associated with the affected divisions.

***Prosecutor Database***: In Cuyahoga County, Cutler’s main source of crime incident data is the Prosecutor database produced by Plaintiffs.<sup>519</sup> Cutler utilizes this data set across five affected divisions. This data is only available for the years 2010 through 2017.<sup>520</sup> Cutler backcasts the number of total charges for 2006-2009.

The Prosecutor database contains charges stemming from 167 different law enforcement agencies/divisions.<sup>521</sup> Cuyahoga County Sheriff’s Department only accounts for 6.2% of total

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<sup>514</sup> See Cutler Report, pp. 18-19.

<sup>515</sup> See <https://www.bjs.gov/index.cfm?ty=dcdetail&iid=269>.

<sup>516</sup> See [https://www.bjs.gov/content/pub/pdf/p16\\_sum.pdf](https://www.bjs.gov/content/pub/pdf/p16_sum.pdf).

<sup>517</sup> See <https://www.bjs.gov/index.cfm?ty=qa&iid=322>.

<sup>518</sup> See <https://www.bjs.gov/index.cfm?ty=qa&iid=322>.

<sup>519</sup> See Cutler Report, p. 18 and CUYAH\_000097414.

<sup>520</sup> The database contains adult charges back to 2009 but is incomplete for juvenile charges (see CUYAH\_000097414).

<sup>521</sup> See CUYAH\_000097414.

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charges included in the Prosecutor database from 2009 to 2017;<sup>522</sup> therefore, Cutler using the full database as a representation of the activities of the Cuyahoga County Sheriff's Department is speculative. Additionally, the jail population includes individuals that are not prosecuted by the County Prosecutor, including municipal inmates held at the County Jail as well as fugitives that are processed through the County jail but later extradited.<sup>523</sup> The Plaintiffs produced other county specific data for criminal divisions which Cutler failed to consider. For example, Cuyahoga County maintains Sheriff Jail Bookings data<sup>524</sup> specific to Cuyahoga County Sheriff activities and the population of inmates booked at the County Jail. Cutler does not explain why this data set is not relevant to these divisions or investigate how the populations in each database are different.

***U.S. Department of Justice Study:*** Cutler utilizes a 2011 Department of Justice ("DOJ") study<sup>525</sup> to determine the share of crimes that were either directly or indirectly motivated by drugs (i.e. 32.3% of burglaries are drug related).<sup>526</sup> The DOJ establishes a Drug Attribution Factor ("DAF") through a national survey of inmates in local jails from 2002,<sup>527</sup> which Cutler uses in his Opioid-Related % calculation of Cuyahoga and Summit Counties from 2006 to 2017.<sup>528</sup> Cutler provides no evidence that the nationwide local jail population in 2002 is representative of Cuyahoga County or Summit County<sup>529</sup> or that the static DAF metric would not have changed between 2002 and 2017. Additionally, Cutler applies the DAF metric to the Prosecutor database, which includes untried charges while the DAF relies on a survey of

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<sup>522</sup> See CUYAH\_000097414.

<sup>523</sup> There is also a large population of parole or probation violators that are processed through the County Jail but not included in the Prosecutor database (see CUYAH\_000120708, CUYAH\_000114691, and CUYAH\_002503213).

<sup>524</sup> See CUYAH\_002503213.

<sup>525</sup> See U.S. Department of Justice, National Drug Intelligence Center, "The Economic Impact of Illicit Drug Use on American Society," 2011 (<https://www.justice.gov/archive/ndic/pubs44/44731/44731p.pdf>).

<sup>526</sup> See Cutler Report, p. 20.

<sup>527</sup> See U.S. Department of Justice, National Drug Intelligence Center, "The Economic Impact of Illicit Drug Use on American Society," 2011, p. 7 (<https://www.justice.gov/archive/ndic/pubs44/44731/44731p.pdf>).

<sup>528</sup> See Cutler Report, pp. 19-20.

<sup>529</sup> Cutler also applies this drug attribution survey to juvenile charges, and while a small portion of juvenile offenders were in the sample population (1.6% = 9,449 juvenile inmates / 605,997 total inmates), it is unclear if the population of adult and juvenile offenders would be similar. See deposition of David Cutler dated April 26, 2019, pp. 278:5-279:2 and <http://dx.doi.org/10.3886/ICPSR04359>.

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sentenced inmates. Further to this point, Cutler ignored county-specific data showing that drug crime has been trending down over time in both counties as discussed previously.<sup>530</sup>

For example, the amount of criminal activity that Cutler calculated with the NIBRS data could have been further used to establish a specific DAF for Summit County. The NIBRS data contains property and corresponding suspected drug tables for Summit County Sheriff, which provides information on all offenses where drugs were involved. The comparison between the DOJ study from 2002 and the NIBRS data from 2006 to 2017 is seen in Table VI.C-4 below.

**Table VI.C-4: Comparison of Cutler's Percent of Crimes that are Drug-Related**

Crime Category	Drug-Related % of Criminal Activity	
	DOJ Survey (2002)	NIBRS Data (2006-2017 Avg)
Aggravated Assault	4.4%	2.3%
All Other Offenses	7.0%	0.6%
Arson	1.3%	1.6%
Burglary	32.3%	1.3%
Curfew/Loitering/Vagrancy	N/A	N/A
Disorderly Conduct	N/A	N/A
Driving Under the Influence	3.5%	N/A
Drug Crimes	100.0%	100.0%
Drunkenness	8.3%	N/A
Embezzlement	8.8%	N/A
Family and Children	5.1%	N/A
Forcible Rape	5.5%	0.5%
Forgery and Fraud	32.2%	2.5%
Gambling Offenses	N/A	20.0%
Human Trafficking	N/A	N/A
Larceny-theft	28.8%	1.3%
Liquor Laws	0.0%	N/A
Motor Vehicle Theft	24.1%	0.3%
Murder	3.9%	7.7%
Other Assaults	4.4%	1.9%
Prostitution	51.1%	7.9%
Robbery	29.5%	4.0%
Sex Offenses	0.9%	0.9%
Stolen Property	12.2%	11.3%
Vandalism	2.8%	0.5%
Weapons	3.0%	25.1%

*Sources:* Cutler Table III.3 and Appendix III.C.3; NIBRS Data produced by Cutler, publicly available at <https://crime-data-explorer.fr.cloud.gov/downloads-and-docs>.

<sup>530</sup> Drug crimes in Cuyahoga County have trended downward since 2009 (see CUYAH\_000097414) and drug incidents in Summit County have declined since 2006 (see SUMMIT\_000064914).

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Applying the 2017 percentages to the initial NIBRS crimes by offense type from Cutler's Report from 2017 yields 523 Offenses Related to Drugs versus the 911 offenses calculated by Cutler using the DAF metric from the DOJ survey.<sup>531</sup> This decreases the Drug-Related % of Crimes for 2017 to 18.5% compared to Cutler's 32.3% as seen in Table VI.C-5 below.

**Table VI.C-5: Cutler's Drug-Related % of Criminal Activity Using NIBRS Data**

<b>2017 Offenses</b>	<b>Cutler (DOJ Survey)</b>	<b>NIBRS</b>
Total Offenses Related to Drugs (a)	911	523
Total Offenses Reported	2,820	2,820
Drug-Related % of Criminal Activity	32.3%	<b>18.5%</b>

Similarly, the Cuyahoga County Prosecutor's data contains non-drug offense charges that include detailed case information and descriptions,<sup>532</sup> which could be used to analyze non-drug crimes and determine whether the offense was related to drugs. As seen in Table VI.C-6 below, these amounts are vastly different from the survey, which calls into question the data used by Cutler and his failure to analyze the differences in the county level data.

<sup>531</sup> See Cutler Report, Appendix III.C.2.

<sup>532</sup> See CUYAH\_000097414.

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**Table VI.C-6: Comparison of Cutler's Percent of Crimes that are Drug-Related**

Crime Category	Drug-Related % of Crime	
	DOJ Survey (2002)	Prosecutor Database (2010-2017 Avg)
Aggravated Assault	4.4%	1.7%
Arson	1.3%	1.5%
Burglary	32.3%	2.4%
Murder	3.9%	4.1%
Curfew and Loitering	0.0%	3.6%
Disorderly Conduct	0.0%	1.9%
DUI	3.5%	14.4%
Drug Abuse Violations	100.0%	100.0%
Forcible Rape	5.5%	1.0%
Forgery and Fraud	32.2%	6.7%
Larceny-theft	28.8%	3.3%
Motor Vehicle Theft	24.1%	7.9%
Other Assaults	4.4%	3.5%
Prostitution	51.1%	43.8%
Robbery	29.5%	2.2%
Sex Offenses	0.9%	1.4%
Vandalism	2.8%	2.4%
Weapons	3.0%	21.5%

*Note 1:* Cases were identified using the MatterID and then grouped by the FBI UCR mapped to the case's associated charge codes. A single case can be identified under multiple FBI UCRs if there are multiple charge codes under each MatterID.

*Note 2:* Each case grouped under an FBI UCR code was determined to have a drug relationship based on the content of the (a) FBI UCR name, (b) Original Charge Name and (c) Incident Title using the Drug Identifiers list (See "Drug Identifiers" tab). A drug-relationship was identified if a keyword from the Drug Identifiers list was found in any of the three fields.

*Sources:* CUYAH\_000097414.

Moreover, the City of Cleveland has produced millions of narratives from their Law Enforcement Records Management System ("LERMS"),<sup>533</sup> which can be searched to examine the types of drugs involved in all Cleveland Police offenses. These county specific data sources provide measurements over the alleged damage period versus a static national metric from 2002. By failing to use or consider this data, Cutler overstates the share of crimes that are drug related,<sup>534</sup> which ultimately leads to overstated damages by McGuire. This failure to consider

<sup>533</sup> See CLEVE\_002443689-CLEVE\_002516526, CLEVE\_002778417-CLEVE\_003014183, LERMS000000001-LERMS003775279, LERMS003775280-LERMS005521322, and LERMS005521323-LERMS008914720.

<sup>534</sup> The overall average percentage of drug related crimes from 2006 to 2017 calculated by Cutler is 29.0% (see Cutler Report, Appendix III.C.2) versus 14.9% using the Summit County NIBRS data (see NIBRS Data produced by Cutler).

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relevant data not only overstates damages, but renders Cutler's, and therefore McGuire's opinions unreliable.

*NFLIS and NSDUH*: Cutler estimates the opioid portion of drug offenses using “data on the share of drugs seized and tested by forensic laboratories in drug crime investigations reported by the National Forensic Laboratory Information System (“NFLIS”).<sup>535</sup> Second, to estimate the opioid portion of all other offenses, Cutler relies upon data from the National Survey on Drug Use and Health (“NSDUH”) and the reported percentage of Ohio citizens with Opioid Use Disorder (“OUD”).<sup>536</sup> There are several deficiencies with these data sets.

The NFLIS annually reports on the 60 most frequently identified drugs from drug seizures based on prevalence from the participating state and local laboratories.<sup>537,538</sup> Therefore, the drugs identified in the NFLIS tables can change each year. From 2007 to 2017 the NFLIS reported on 122 unique drug types and 22 opioid drugs. This inconsistency in both opioid and all drugs reported over time is not addressed by Cutler.

The NSDUH data is a national household survey of approximately 70,000 individuals per year that provides “information on tobacco, alcohol, and drug use, mental health and other health-related issues in the United States.”<sup>539</sup> Cutler uses the portion of respondents in Ohio with Substance Abuse Disorder that have Opioid Abuse Disorder as a proxy for the share of crimes committed by people who are motivated by opioids.<sup>540</sup> However, Cutler agrees that not all persons who commit crimes have been diagnosed with Substance Abuse Disorders, and he does not know what percentage of persons who commit a crime have been diagnosed with Substance Abuse Disorder.<sup>541</sup>

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<sup>535</sup> See Cutler Report, p. 20.

<sup>536</sup> See Cutler Report, p. 21.

<sup>537</sup> There are 12 participating laboratories in Ohio, 2 state and 10 local (see National Forensic Laboratory Information System: NFLIS-Drug 2017 Annual Report, p. 28).

<sup>538</sup> See <https://www.nflis.deadiversion.usdoj.gov/DesktopModules/ReportDownloads/Reports/2k17NFLISQA.pdf>

<sup>539</sup> See [https://nsduhweb.rti.org/respweb/about\\_nsduh.html](https://nsduhweb.rti.org/respweb/about_nsduh.html)

<sup>540</sup> See deposition of David Cutler dated April 26, 2019, p. 231:10-24.

<sup>541</sup> See deposition of David Cutler dated April 26, 2019, p. 232:6-23.

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Cutler again ignored county specific data in performing this calculation.<sup>542</sup> The Summit County Sheriff's Office provides drug seizure data by quantity and street value in its annual reports. This data provides county-specific data regarding opioids and other drugs seized and provides an indication of an Opioid-Related %. The percentage of opioids seized<sup>543</sup> per year vary widely from Cutler's calculated Opioid-Related % as seen in Table VI.C-7 below.

**Table VI.C-7: Summit County Sheriff Annual Drug Seizures**

<b>Comparison of Opioid-Related %</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Cutler Opioid-Related % of Crimes	11.5%	11.8%	11.8%
Summit County Sheriff % Opioids Seized	7.1%	4.8%	1.3%

*Sources:* Cutler Report, Table III.4 and Appendix III.C.2; Sheriff's Office 2015, 2016, and 2017 Annual Reports.

The Cuyahoga County Sheriff's Department also provides information in its annual reports on drug seizures by the Package Interdiction Team, which focuses on intercepting parcels containing illegal contraband.<sup>544</sup> Cutler failed to consider either population of data as an indication of how often opioids are involved in crimes in the counties.

Additionally, the NIBRS incident data that Cutler relied upon previously provides drug types, which could have been analyzed in relation to the offenses committed. This data could be used to apportion the crime offenses to opioids instead of using multiple deficient state level data sets. If Cutler had used this data, his Opioid % of drug crimes and his overall Opioid-Related % of criminal activity for Summit County would have been considerably lower as seen in Table VI.C-8 below. This calls into questions the reliability of Cutler's chosen data sets.

Consequently, McGuire's affected costs for all divisions that rely on the Opioid-Related % of criminal activity would be overstated.

<sup>542</sup> Cutler stated that he does not know if the Plaintiffs have crime data that identifies percentages of drugs seized and tested, and has not had conversations with anyone in the respective counties regarding available data (see deposition of David Cutler dated April 26, 2019, pp. 229:3-230:6).

<sup>543</sup> The drug seizure data is broken out by prescription and illicit opioids, however, to be consistent in comparison to Cutler's Opioid-Related %, I have included both.

<sup>544</sup> See Cuyahoga Sheriff's Department 2015 Annual Report, "CCSD Package Interdiction Team" section.



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**Table VI.C-8: Comparison of Cutler's Opioid-Related % of Criminal Activity**

<b>Cutler's Reported Opioid Related % of Criminal Activity (using NFLIS and NSDUH)</b>												
<b>Metric</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Drug-Related % of Crimes	28.3%	25.6%	24.9%	29.2%	25.5%	29.0%	29.5%	27.8%	29.6%	32.8%	33.6%	32.3%
Opioid % of Drug Crimes	19.1%	19.7%	26.4%	27.5%	31.0%	31.0%	32.0%	33.2%	33.7%	35.0%	35.2%	36.6%
<b>Opioid-Related % of Crimes</b>	<b>5.4%</b>	<b>5.0%</b>	<b>6.6%</b>	<b>8.0%</b>	<b>7.9%</b>	<b>9.0%</b>	<b>9.4%</b>	<b>9.2%</b>	<b>10.0%</b>	<b>11.5%</b>	<b>11.8%</b>	<b>11.8%</b>

<b>ADJUSTED - Cutler's Opioid Related % of Criminal Activity (using NIBRS)</b>												
<b>Metric</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Drug-Related % of Crimes	14.5%	11.7%	10.0%	15.3%	11.1%	14.8%	15.4%	12.9%	15.4%	18.6%	19.8%	18.5%
Opioid % of Drug Crimes	4.5%	0.0%	3.3%	2.3%	2.1%	3.5%	5.2%	11.1%	11.2%	10.8%	6.3%	9.6%
<b>Opioid-Related % of Crimes</b>	<b>0.7%</b>	<b>0.0%</b>	<b>0.3%</b>	<b>0.3%</b>	<b>0.2%</b>	<b>0.5%</b>	<b>0.8%</b>	<b>1.4%</b>	<b>1.7%</b>	<b>2.0%</b>	<b>1.3%</b>	<b>1.8%</b>

*Sources:* Cutler Table II.3 and Appendix III.C.3; NIBRS Data produced by Cutler, publicly available at <https://crime-data-explorer.fr.cloud.gov/downloads-and-docs>.

## VII. ABATEMENT

Plaintiffs' Abatement Experts<sup>545</sup> have put forth a variety of prevention and treatment program proposals that they suggest could be implemented to abate the effects of opioid misuse in the United States, Ohio, and Cuyahoga and Summit Counties.<sup>546</sup> This report takes no position on the efficacy or advisability of the suggested abatement programs. However, I have been asked by counsel to provide an account of the programs that are analogous to Plaintiffs' Abatement Experts' that already exist at the state, county, and city levels in Cuyahoga and Summit Counties.<sup>547</sup> It is my understanding that analogous federal programs are addressed in the Expert Report of Dr. Gregory Bell (the "Bell Report"), also submitted on May 10, 2019.

I am aware that there are six Plaintiff Abatement Experts, but only two experts<sup>548</sup> attempt to estimate the costs associated with their abatement proposals in Cuyahoga and Summit Counties. The remaining four experts, Keyes, Lembke, Wexelblatt, and Young do not attempt to

<sup>545</sup> See G. Caleb Alexander, MD, MS Supplemental Expert Witness Report dated April 3, 2019 ("Alexander Report"); Supplemental Expert Report of Dr. Jeffrey B. Liebman dated April 3, 2019 ("Liebman Report"); Scott L. Wexelblatt, MD Expert Report dated March 25, 2019 ("Wexelblatt Report"); Katherine Keyes Expert Witness Report dated March 24, 2019 ("Keyes Report"); Nancy K. Young, Ph.D. Expert Report dated March 25, 2019 ("Young Report"); and Anna Lembke, MD Expert Report dated March 25, 2019 ("Lembke Report") (collectively, "Plaintiffs' Abatement Experts"). I understand that the Expert Reports of Drs. Ted Miller and Theodore Parran have been withdrawn.

<sup>546</sup> See Appendix 11 – Abatement Experts Treatment and Prevention Proposals and Programs for a full listing of the abatement proposals put forth by Plaintiffs' Abatement Experts.

<sup>547</sup> See Appendices 12 – Existing or Proposed Abatement Programs, Cuyahoga County, 13 – Existing or Proposed Abatement Programs, Summit County, and 14 – Existing or Proposed Abatement Programs, State of Ohio.

<sup>548</sup> See Liebman Report and Alexander Report.

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quantify the costs associated with their abatement proposals. The proposed programs for these experts are outlined below:

- Keyes provides a synopsis of three abatement programs which includes Medication Assisted Treatment (“MAT”), Naloxone Distribution, and Fentanyl Testing,<sup>549</sup> all of which already exist in both counties.<sup>550</sup> Keyes seemingly made no independent effort to verify the need for her proposed abatement programs in the counties.<sup>551</sup>
- Lembke proposed a variety of abatement programs that focus on primary prevention, secondary prevention, and treatment.<sup>552</sup> The primary prevention proposals largely center on the education of the medical profession in addiction treatment.<sup>553</sup> Lembke’s secondary prevention proposals deal with harm reduction strategies,<sup>554</sup> and the treatment proposals focus on expanding infrastructure and providing addiction treatment “within every hospital, clinic, emergency room, jail, drug court, etc., across America.”<sup>555</sup> Lembke does not appear to evaluate the current programs in place or if they could be implemented in these counties.<sup>556</sup>
- Wexelblatt proposes abatement programs associated with neonatal abstinence syndrome (“NAS”). Wexelblatt details the State of Ohio’s existing efforts “[i]n response to the growing rates of NAS.”<sup>557</sup> He then offers that “the Counties should develop and enhance multidisciplinary programs and services for early intervention, prevention, and support,” with respect to the “increasing number of women with opioid use disorder in Cuyahoga and Summit Counties, as well as growing incidence

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<sup>549</sup> See Keyes Report, pp. 30-40.

<sup>550</sup> See Appendices 12 – Existing or Proposed Abatement Programs, Cuyahoga County and 13 – Existing or Proposed Abatement Programs, Summit County.

<sup>551</sup> See deposition of Katherine Keyes dated April 29, 2019 pp. 379:22-380:17 and 386:21-387:8.

<sup>552</sup> See Lembke Report, para. 89-97.

<sup>553</sup> See Lembke Report, pp. 89-93.

<sup>554</sup> See Lembke Report, pp. 93-95.

<sup>555</sup> See Lembke Report, para. c.ii.

<sup>556</sup> See Lembke Report, pp. 89-97.

<sup>557</sup> See Wexelblatt Report, para. 56-60.

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of NAS.”<sup>558</sup> While Wexelblatt outlines the “Rates of NAS in Cuyahoga and Summit Counties,”<sup>559</sup> he does not purport to calculate the costs borne by the counties with respect to NAS. In addition, during his deposition Wexelblatt acknowledged that roughly seven out of eight infants diagnosed with NAS in Ohio since 2011 were covered by Medicaid.<sup>560</sup>

- Young sets forth “Recommendations” related to two populations: “Infants and their Families with Prenatal Opioid Exposure in Child Welfare and Related County Systems” and “Impact of Families with Opioid Use Disorders in Child Welfare and the Related County Systems.”<sup>561</sup> Young also describes existing “County Initiatives on Parental Opioid and other Substance Use Disorders in Child Welfare.”<sup>562</sup> Young describes her proposed abatement proposals with no attempt to account for those programs already in effect or proposed, either by the Counties or another entity.

The Alexander Report proposes a ten-year national abatement strategy that covers a variety of programs.<sup>563</sup> Alexander acknowledges the complexity of valuing his proposal, noting that “[f]or some categories, specific costs will depend upon decisions made by the Court or its designees, local policy-makers and service providers based on the mix of products and services used in the Counties and the manner in which those products and services are procured.”<sup>564</sup> Further, Alexander states that his “goal was not to identify the precise costs of any given category, but rather to develop an *initial estimate* from which costs specific to Cuyahoga and Summit County can be developed . . . .”<sup>565</sup> [emphasis added] To that end, Alexander also recognized that “there are a number of limitations in extrapolating from national estimates to specific localities.”<sup>566</sup> Despite these caveats, Alexander proceeded to use the 2017 opioid

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<sup>558</sup> See Wexelblatt Report, p. 22.

<sup>559</sup> See Wexelblatt Report, para. 44.

<sup>560</sup> See deposition of Scott Wexelblatt dated April 24, 2019, pp. 49:9-20.

<sup>561</sup> See Young Report, p. 35-37.

<sup>562</sup> See Young Report, p. 22-25.

<sup>563</sup> See Alexander, para. 177.

<sup>564</sup> See Alexander, para. 179.

<sup>565</sup> See Alexander, para. 176.

<sup>566</sup> See Alexander, para. 180.

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overdoses as a “proxy for global abatement needs from the epidemic.”<sup>567</sup> By using a “proxy,” Alexander estimates that Cuyahoga and Summit’s abatement needs for a ten year period is \$ 6.79 billion.<sup>568</sup> However, Alexander does not purport to identify how these “abatement needs” should be funded.<sup>569</sup> Alexander does not analyze in detail, nor account for, the current programs already in place in either county. In addition, he does not address which governmental (federal state, county, or city) or private entities would run and fund the proposed abatement programs, including the degree to which the Plaintiff Counties themselves would be the appropriate entities.

The Liebman Report summarizes the Plaintiffs’ proposed abatement programs<sup>570</sup> and estimates the annual costs of the programs in Cuyahoga and Summit Counties from 2020 to 2034.<sup>571</sup> These proposed abatement costs include costs for people who never used prescription opioids.<sup>572</sup> Liebman estimates the 15-year cost of providing Plaintiffs’ proposed abatement programs to be between \$4.5 to \$5.5 billion for Cuyahoga County and \$2.0 to \$2.4 billion for Summit County.<sup>573</sup> Notably, Liebman does not analyze in detail, nor account for, the current programs in place in either county. In addition, he “does not address how abatement costs should be shared among various entities or parties,”<sup>574</sup> including the Plaintiff Counties themselves.<sup>575</sup> For instance, Medicaid reimbursement no longer excludes substance use disorder treatment programs,<sup>576</sup> which covers a large portion of Liebman’s suggested abatement program additions and costs.<sup>577</sup>

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<sup>567</sup> See Alexander, para. 180.

<sup>568</sup> See Alexander, para. 180.

<sup>569</sup> See deposition of Caleb Alexander dated April 26, 2019, pp. 320:23-322:9.

<sup>570</sup> See Liebman Report, para. 4.

<sup>571</sup> See Liebman Report, para. 94, Table 1 and Table 2, para. 96.

<sup>572</sup> See Liebman Report, para.16 and footnote 7, and deposition of Jeffrey Liebman dated May 3, 2019, pp. 102:13-103:11.

<sup>573</sup> See Liebman Report, para. 94, Table 1 and Table 2, and para. 96.

<sup>574</sup> See Liebman Report, para. 17, and deposition of Jeffrey Liebman dated May 3, 2019, pp. 139:8-140:10 and 143:22-144:12.

<sup>575</sup> See deposition of Jeffrey Liebman dated May 3, 2019, p. 303:10-19.

<sup>576</sup> See Summit County 2019 Operating Budget, p. 45.

<sup>577</sup> Mr. Liebman estimates treatment costs (excluding MAT) at \$80.5 million per year for Summit County and \$184.2 million per year for Cuyahoga County (see Liebman Report, para 94, Table 1 and Table 2).

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Neither Alexander nor Liebman link the cost of the abatement programs to the alleged misconduct of the defendants<sup>578</sup> and ultimately do not calculate damages to the Plaintiffs.

Additionally, I have observed that Plaintiffs' Abatement Experts have largely offered opinions on what successful abatement programs at large should entail. However, Plaintiffs' Abatement Experts failed to identify what resources are already available to residents of each county, whether those resources are or are not adequate, or the extent to which (if any) either county is itself responsible for delivering and/or paying for such proposed services.

In my extensive review of the operating budgets, divisional annual reports, and other publicly available documents in Summit and Cuyahoga Counties, I have observed that many of the proposed programs are already in existence or have been proposed for adoption. Appendices 12 and 13 include a summary of these programs in Cuyahoga and Summit Counties. I have summarized to the extent possible, the various funding sources for the programs in existence today (e.g., county, state, city, grant). From this work, I offer the following additional observations:

The barriers to expansion or adoption of Plaintiffs' proposed programs do not appear to be tied to financial constraints. There are demonstrable instances of unused, allocated budget funds in agencies such as the Summit County ADM Board and Cuyahoga County ADAMHS Board that could be tasked with funding a number of the proposed programs through current service providers.<sup>579</sup> There are also demonstrable instances of annual carryover funds in these same agencies.<sup>580</sup> In both cases, I have seen limited evidence of requests to use these counties' funds to expand existing programs or adopt new programs like those suggested by Plaintiffs' experts. More specifically, I have observed instances when funding has been requested to extend certain existing treatment programs, such as Vivitrol programs at the Summit County Community Based Correctional Facility through Oriana House, but the requests have been

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<sup>578</sup> See deposition of Jeffrey Liebman dated May 3, 2019, pp. 63:11-64:24, and deposition of Caleb Alexander dated April 26, 2019, pp. 65:22-68:23.

<sup>579</sup> See Appendices 6 – Comparison Between Budgeted and Actual Expenditures, Cuyahoga County and 7 – Comparison Between Budgeted and Actual Expenditures, Summit County.

<sup>580</sup> See SUMMIT\_001103655.

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denied due to other higher priority items versus using reserve funds.<sup>581</sup> I have also seen amounts of unspent ADAMHS contract funds, like St. Vincent Charity, who only spent a fraction (\$2,990 of \$150,000 contract) of the monies allocated to them in their Suboxone contract.<sup>582</sup>

Moreover, it does not appear that Plaintiffs' experts have taken any measures to account for the feasibility of implementing the suggested programs in Cuyahoga and Summit Counties. For example, county employees have indicated that they have received pushback across the state and county regarding medication-assisted treatment ("MAT") programs for years.<sup>583</sup> Other providers believe in an "abstinence-only philosophy"<sup>584</sup> or that the medication involved is "too dangerous,"<sup>585</sup> so it has taken multiple attempts over the years to implement medication-assisted treatment in Summit County.<sup>586</sup> Liebman acknowledged that these are "counties where some of the most prominent abstinence only approaches were founded" and that has historically affected service delivery, but he has not specifically taken that into account.<sup>587</sup> Additionally, existing programs like the Summit County Turning Point Program<sup>588</sup> cannot meet their targeted intake of clients causing funds to rollover each year,<sup>589</sup> so it is unclear how additional services or programs will be filled.

The program costs proposed by Liebman also appear to exceed the amounts currently spent by the counties by many multiples. Plaintiffs' experts' appear to ignore actual evidence of what parallel programs are costing the counties both in total annually and per member served. For substance abuse treatment and MAT programs, Liebman suggests that by 2024 Cuyahoga

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<sup>581</sup> See deposition of Anne Connell-Freund dated January 24, 2019, pp. 60:16-61:8 and 62:13-63:24.

<sup>582</sup> See deposition of Ralph Piatak dated January 14, 2018, Exhibit 18.

<sup>583</sup> See deposition of Anne Connell-Freund dated January 24, 2019, pp. 69:15-71:3, and deposition of Molly Leckler dated November 19, 2018, pp. 280:6-281:12.

<sup>584</sup> See deposition of Anne Connell-Freund dated January 24, 2019, pp. 69:15-70:6.

<sup>585</sup> See deposition of Shane Barker dated November 28, 2018, Exhibit 9.

<sup>586</sup> See deposition of Anne Connell-Freund dated January 24, 2019, pp. 72:23-73:11.

<sup>587</sup> See deposition of Jeffrey Liebman dated May 3, 2019, pp. 319:19-320:8.

<sup>588</sup> The Turning Point Program is "a special court given the responsibility to handle cases involving drug-using/abusing, non-violent offenders, through immediate comprehensive supervision, drug testing, and treatment services, as well as immediate sanctions and incentives." See <http://www.summitcpcourt.net/Programs/TurningPointProgram/Pages/TurningPoint1.aspx>.

<sup>589</sup> See deposition of Jennifer Hawkins dated February 28, 2019, pp. 95:22-97:17 and 99:12-20.

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and Summit County would need \$224.5 million and \$98.0 million per year, respectively<sup>590</sup> to fully phase in these programs due to what he asserts will be increases in individuals receiving treatment.<sup>591</sup> Liebman's assumptions of the increased population stem from the Lembke Report,<sup>592</sup> however, Lembke's numbers are not supported by any empirical evidence.<sup>593</sup> For Summit County in 2024, Mr. Liebman assumes 2,630 people would receive treatment with 1,754 of those persons receiving MAT.<sup>594</sup> However, in 2017, there were in fact 1,698 clients<sup>595</sup> who received opioid-related treatments through current contracted treatment providers which cost the Summit County ADM Board (through local, state, and federal funding) \$6.2 million or approximately \$3,650 per person.<sup>596</sup> Mr. Liebman's conclusion that the county would need to increase its spending from \$3,600 per person to \$37,000 per person for treatment and MAT<sup>597,598</sup> annually if it increased the number of persons treated by less than 1,000 is unfounded.

Similarly, in Cuyahoga County, Liebman assumes that there would be 3,033 people with Opioid Use Disorder receiving treatment in 2020 with that population doubling to 6,067 by 2024.<sup>599</sup> The Cuyahoga County ADAMHS Board spent \$23.3 million in 2017 on 3,232 children, adults, and seniors for addiction treatment and recovery<sup>600</sup> or approximately \$7,200 per person. This amount includes services for not only treatment and MAT, but also assessment, education,

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<sup>590</sup> See Liebman Report, para 94, Table 1 and Table 2 [Cuyahoga \$224.5 = \$184.2+\$40.3 and Summit \$98.0 = \$80.5+\$17.5].

<sup>591</sup> Mr. Liebman assumes that individuals receiving treatment services (other than MAT) will double by 2024, and those receiving MAT will expand from approximately 7% to 27% by 2024 (see Expert Report of Jeffrey Liebman dated April 3, 2019, para. 42 and 44).

<sup>592</sup> See Expert Report of Jeffrey Liebman dated April 3, 2019, para. 42 and 44.

<sup>593</sup> See deposition of Jeffrey Liebman dated May 3, 2019, pp. 177:14-178:11.

<sup>594</sup> See Liebman Report, Appendix D, pp. 6 and 8.

<sup>595</sup> See Report on Opiate Epidemic Impact (SUMMIT\_002053751).

<sup>596</sup> See Report on Opiate Epidemic Impact (SUMMIT\_002053751).

<sup>597</sup> \$37,000 per person = \$224.5 million/6,067 (Cuyahoga County) or \$98.0 million/2,630 (Summit County).

<sup>598</sup> Liebman's cost appears to also include ongoing costs such as maintenance costs and depreciation costs for the facilities (see deposition of Jeffrey Liebman dated May 3, 2019, pp. 192:22-193:17). The Summit County ADM Board contracts with treatment providers, which does not include maintenance or fixed facility costs.

<sup>599</sup> See Liebman Report, Appendix D, p. 5.

<sup>600</sup> See [http://adamhscc.org/pdf\\_adamhscc/en-US/\(no%20numbers%20version%20for%20website\)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf](http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf).



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and prevention for all substance abuse disorders. While this population was not solely opioid-related, Mr. Liebman's assumption that it would cost the county an average of \$37,000 per person for treatment and MAT alone by 2024<sup>601</sup> is unsubstantiated.

To the extent there are additional treatment and MAT programs not funded through ADM or ADAMHS Board, the costs of running these programs often do not fall to the counties, but are provided through independent public health entities, such as Summit County Public Health and the MetroHealth System ("MetroHealth") for Cuyahoga County, and funded by federal or state grants or independent funds.<sup>602</sup> In Cuyahoga, MetroHealth has focused on "promoting opioid safety through education, advocacy and treatment," specifically through their Office of Opioid Safety.<sup>603</sup> MetroHealth is "a legally separate, non-profit organization that provides healthcare and hospitalization to the general public and care for the County's indigents."<sup>604</sup>

Liebman's abatement plan purports to increase continuing capacity for many programs and implement a number of new programs in the counties.<sup>605</sup> However, it does not appear that Liebman accounted for the current programs in place<sup>606</sup> or if the counties would need the additional capacity. For instance, Summit County has been experiencing decreased demands for treatment<sup>607</sup> and wait times for detox and residential treatment have significantly decreased since 2013 as seen in Graphs VII-1 and VII-2 below. Detox wait time in Summit County have recently been reduced to 0 days.

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<sup>601</sup> See Liebman Report, Appendix D, pp. 5 and 7.

<sup>602</sup> See Appendices 12 – Existing or Proposed Abatement Programs, Cuyahoga County, 13 – Existing or Proposed Abatement Programs, Summit County, and 14 – Existing or Proposed Abatement Programs, State of Ohio.

<sup>603</sup> See [http://opiatecollaborative.cuyahogacounty.us/pdf\\_OpiateCollaborative/en-US/2018AnnualReport.pdf](http://opiatecollaborative.cuyahogacounty.us/pdf_OpiateCollaborative/en-US/2018AnnualReport.pdf).

<sup>604</sup> See Cuyahoga 2017 CAFR, p. 6.

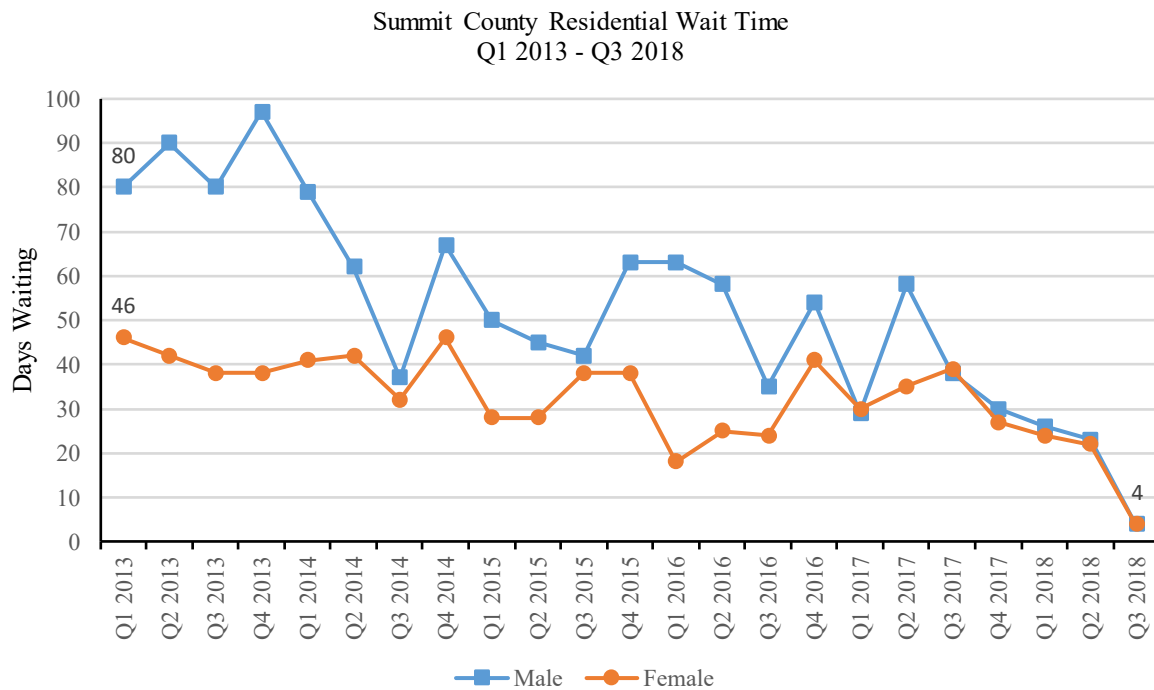
<sup>605</sup> See deposition of Jeffrey Liebman dated May 3, 2019, pp. 305:10-20 and 323:7-324:14.

<sup>606</sup> Liebman did not review claims data regarding actual numbers of persons treated but instead based his cost estimates on a study of facilities in Florida. He did state that he spoke to people from the ADM and ADAMHS boards in Florida about costs. See deposition of Jeffrey Liebman dated May 3, 2019, pp. 160:13-22, 186:8-187:7, and 193:3-17.

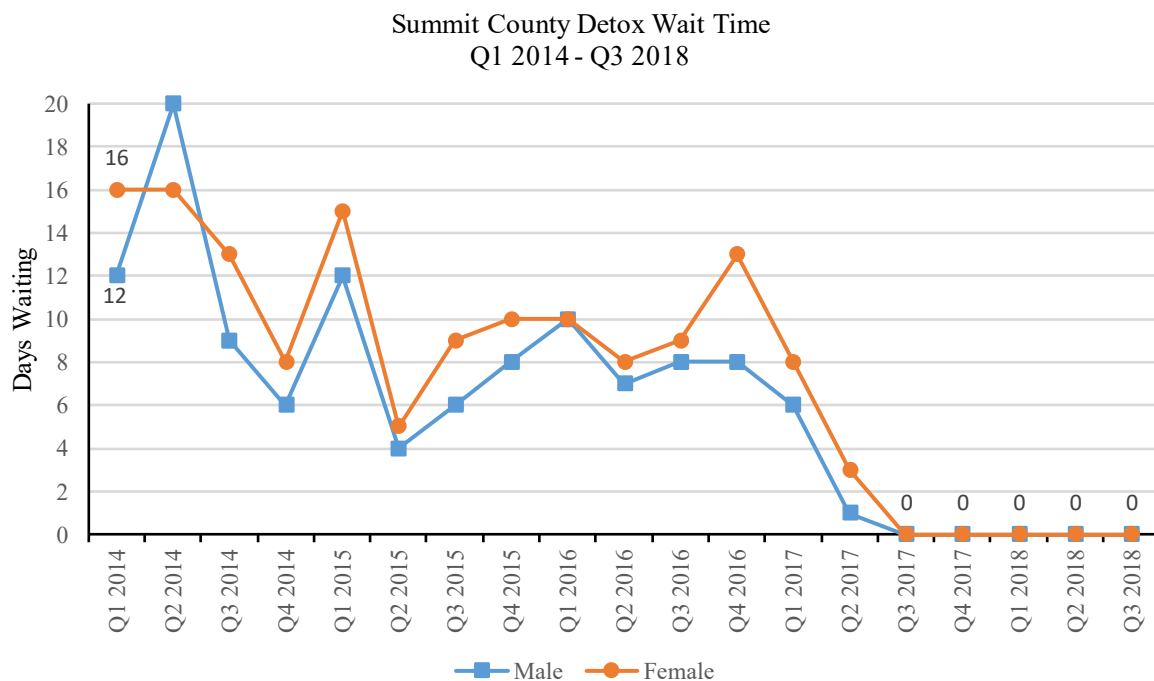
<sup>607</sup> See Liebman Call Interview Notes with Jerry Craig dated July 3, 2018; Alexander Notes RE: Treatment and Recovery with Akron personnel, undated.



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**Graph VII-1: Summit County Residential Wait Time**

Sources: Summit County Opiate Task Force Quarterly Stakeholders Meetings March 9, 2016, December 13, 2017, and December 17, 2018.

**Graph VII-2: Summit County Detox Wait Time**

Sources: Summit County Opiate Task Force Quarterly Stakeholders Meetings March 9, 2016, December 13, 2017, and December 17, 2018.

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In addition to treatment services, both counties provide a multitude of other programs including, but not limited to, providing the community with naloxone kits, fentanyl test strips, and syringe exchange programs, education resources through media campaigns and school programs, and drug disposal programs.<sup>608</sup> Several county employees have testified that anyone who wants Narcan gets it,<sup>609</sup> and they have never run out of kits to distribute.<sup>610</sup> This availability of Naloxone and the proactive approaches already taken by the community may have had an impact on the lower number of overdose deaths being observed in Summit County, stated by Jerry Craig, Executive Director of the ADM Board.<sup>611,612</sup> This decline in overdose deaths has also been reported in local media with Jerry Craig being quoted as stating “I think we’re on the waning end of the opiate crisis.”<sup>613</sup> Additionally, the Quick Response Teams (which visit the homes of individuals that have overdosed on opioids) are being repurposed to address other issues as there are less people to visit.<sup>614</sup> Liebman does not appear to take any of these ongoing programs into consideration in his proposed Abatement Plan.

It is unclear how the Plaintiffs intend to utilize the abatement calculations described above. None of the experts describe these calculations as damages, and Alexander specifically notes that, “Ultimately, detailed assessments of the specific costs...will be required, and there are a number of limitations in extrapolating from national estimates to specific locations.”<sup>615</sup> However, to the extent that Plaintiffs intend to present these calculations, or a subset thereof, as damages, I note the following:

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<sup>608</sup> See Appendices 12 – Existing or Proposed Abatement Programs, Cuyahoga County and 13 – Existing or Proposed Abatement Programs, Summit County.

<sup>609</sup> See deposition of Matt Baepler dated January 17, 2019, pp. 136:7-15 and 161:8-14, and deposition of Gary Gingell dated November 20, 2018, p. 177:3-18.

<sup>610</sup> See deposition of Donna Skoda dated August 14, 2018, p. 57:22-25.

<sup>611</sup> See Liebman Call Interview Notes with Jerry Craig dated July 3, 2018.

<sup>612</sup> Personnel in the police force have also testified that overdose deaths have declined (see deposition of Matt Baepler dated January 17, 2019, pp. 135:22-136:19, and Alexander Notes RE: Treatment and Recovery with Akron personnel, undated).

<sup>613</sup> See “Drug Deaths Plunge in Summit; County Task Force says Number of Overdoses Fell in 2018.” Akron Beacon Journal (Ohio), January 12, 2019.

<sup>614</sup> See Liebman Call Interview Notes with Jerry Craig dated July 3, 2018.

<sup>615</sup> See Alexander report, para. 180.

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As previously discussed, many of the programs identified by the Plaintiffs' Abatement Experts are already being provided within the normal provision of services.<sup>616</sup> None of the experts have attempted to assess the relative contribution of already existing programs and then identify the additional costs that, in their opinion, would be necessary. Similarly, none of the experts have provided evidence of individuals in the two counties who are seeking treatment through county services and are failing to receive it because of either the non-existence of programs or a lack of capacity in existing programs. As such, none of the calculations, as presented, are appropriate damages calculations.

Further, the costs identified by the Plaintiffs' experts are not and would not be specifically borne by the counties. They are, and would be, paid for by a variety of funding sources, including state, federal, and private sources. Any damages calculation that is not specific to the Plaintiffs should be rejected.

Further, the need to isolate the impact of the alleged improper conduct from other conduct and causes is well established. One often cited treatise on the study of economic damages is the *Litigation Services Handbook, the Role of the Financial Expert*. It states: "[i]f a damages analysis includes the effects not caused by the defendant, it is a defective analysis. It has not followed the standard format for damages, which, by its nature, isolates the effects of the harmful act on the plaintiff."<sup>617</sup> It also states that "[a]ll courts, however, require that defendants wrongful conduct cause the damages allegedly suffered by the plaintiffs."<sup>618,619</sup> Neither of the calculations performed by Alexander or Liebman attempt to isolate the incremental costs to the counties associated with the specified programs or limit the costs to those that may be been caused by prescription opioids (e.g., includes costs for treating OUD for persons that have never

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<sup>616</sup> See Liebman Report, para 92, and Appendices 12 – Existing or Proposed Abatement Programs, Cuyahoga County and 13 – Existing or Proposed Abatement Programs, Summit County.

<sup>617</sup> See Weil, R., Wagner, M. and Frank, P. *Litigation Services Handbook*. 3<sup>rd</sup> Edition, 2001, Section 5.3 "Issues Common to Most Damages Studies."

<sup>618</sup> See Weil, R., Lentz, D. and Evans, E. *Litigation Services Handbook*. 6<sup>th</sup> Edition, 2017, Section 4.2 "Fundamentals of Causation."

<sup>619</sup> Liebman states that he is not offering an "opinion regarding cause of what you refer to as the crisis" nor an opinion "regarding the conduct of any particular defendant." See deposition of Jeffrey Liebman dated May 3, 2019, pp. 63:11-64:2 and 64:11-24.

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taken a prescription opioid). As a result, it is my opinion that all of the Plaintiffs' Abatement Experts that have failed to provide a reliable or reasonably certain abatement damage estimate.

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My opinions are based on the information available to me as of the date of this report. I reserve the right to supplement my opinions based on any additional information obtained that I may be asked to consider or any additional work or analysis that I may be asked to perform prior to or at any hearing, including deposition or trial. I may supplement and update this report as appropriate based on the results of review procedures and/or additional information that may become available. Such additional information includes, without limitation, testimony of Plaintiffs' expert witness Dr. McCann, which was not completed in time to be considered for the purposes of this report and any upcoming deposition testimony of Plaintiffs' expert witnesses. If asked to offer testimony at trial, I may use documents produced in this litigation that refer to or relate to the matters discussed in my report as exhibits. In addition, I respectfully reserve the right to use animations, demonstratives, enlargements, or any other enhancement in kind of the tables or graphs presented in my report or other information that illustrate my opinions.



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Matthew G. Bialecki, CPA, CFF, CGMA

Dated: May 10, 2019

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## **Appendix 1**



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**Matthew G. Bialecki, CPA, CFF, CGMA**  
**Managing Director, U.S. Eastern Region Leader**  
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**Certifications**

Certified Public  
Accountant

AICPA Certified in  
Financial Forensics

Chartered Global  
Management Accountant

**Professional Affiliations**

American Institute of  
Certified Public  
Accountants

Association of Certified  
Fraud Examiners

Illinois Society of Certified  
Public Accountants

Member of the AICPA  
Taskforce on Merger and  
Acquisition Disputes

**Education**

Bachelor of Business  
Administration,  
Accounting

Loyola University of  
Chicago

Mr. Bialecki is a Managing Director of Alvarez & Marsal Disputes and Investigations, LLC in Chicago and leads the Disputes and Investigations Eastern U.S. Region. He is also a member of the Disputes and Investigations Global Executive Committee. He has 25 years' experience as an expert witness, arbitrator and consultant in a variety of areas including litigation, fraud and forensic investigations. He specializes in post-acquisition disputes, disputes with complex financial issues, and financial investigations.

Mr. Bialecki has consulted or testified on issues involving the proper application of Generally Accepted Accounting Principles (GAAP), International Financial Reporting Standards (IFRS), Statutory Accounting Principles (SAP) set forth by the National Association of Insurance Commissioners (NAIC), and Generally Accepted Auditing Standards (GAAS). He has also consulted to buyers, sellers or served as a neutral arbitrator in many post-acquisition purchase price disputes.

Prior to joining A&M, Mr. Bialecki was a Partner with a Big Four public accounting firm in Chicago. While with this firm, he was the Midwest and North Central Regions' Professional Practice Director, the Midwest Insurance Industry Leader, and the Midwest Insurance Industry Fraud Specialist for the Forensic and Dispute practice. He was the fraud specialist on the audits of Allstate, Berkshire Hathaway, CNA Financial, CNA Surety, Cuna Mutual and The Hartford.

**Representative Experience**

***Litigation/Arbitration/Mediation/Forensic Investigations***

- Government Contractor/Engineering and Construction Firm – Purchase Price Dispute Arbitration - Assisted one of the nation's largest engineering and construction firms with a Purchase Price Dispute Arbitration of over \$600 million. Our work involved the analysis of an extensive amount of supporting data, including analysis of numerous, large construction projects in various stages of completion to determine proper percentage-of-completion accounting. Based on the information available at the time of the review, the results of this review indicated that the accounting for numerous long-term contracts required substantial adjustment.
- Private Equity/Construction Company – Post-Acquisition Dispute – Expert witness for a private equity client that purchased a construction company and discovered after the purchase that the revenue was overstated and expenses were understated on a number of ongoing long-term construction projects under percentage-of-completion accounting. We conducted a forensic investigation to determine how the projects should have been accounted for and served as an expert witness on the accounting issues and damages in the litigation involving indemnification because of an alleged breach of representations and warranties under the purchase agreement.
- Government Contractor – Purchase Price Dispute Arbitration and Breach of Representations and Warranties Litigation – Assisted a publicly traded manufacturer and government contractor with respect to certain post-acquisition disputes. The manufacturer had recently acquired a business unit of another publicly traded government contractor, and disputes arose regarding the calculation of net working

Note: Alvarez & Marsal employs CPAs but it is not a licensed CPA firm

capital and the accuracy of the seller's accounting for certain long-term fixed fee contracts under the percentage-of-completion revenue recognition methodology prior to the acquisition. A&M helped prepare the manufacturer's arbitration submission and provided litigation support regarding certain fraud and breaches of representations and warranties claims.

- Software Firm – Earn-Out Dispute Arbitration – Assisted the buyer in an Earn-Out Dispute Arbitration involving the calculation of post-acquisition revenues in multi-element arrangements for a business that provides software solutions for managing employee safety, health safety, and environmental compliance. The earn-out dispute involved the recognition of revenues associated with multi-element arrangements including set-up fees, training, and customer discounts and whether there was Vendor Specific Objective Evidence (VSOE) to support revenue recognition. Further, the dispute involved whether the buyer had violated earn-out covenants regarding the way it managed the business after the acquisition.
- Software Development Company – Earn-out Dispute - Expert for the buyer in an earn-out dispute. The dispute involved the calculation of a two year earn-out based on revenues. The seller alleged that the buyer failed to act in accordance with the purchase agreement by operating the business out of the ordinary course by failing to maximize revenues through changes in accounting for long term services contracts subject to the earn-out and failed to account for other revenue properly under multi-element arrangements and long term contracts. The matter involved assessing whether there was Vendor Specific Objective Evidence (VSOE) for recognition of certain revenue.
- Major Telecommunications Company – Restatement – Engaged by a leading, global, telecommunications provider to provide subject matter expertise, resolve technical accounting issues, and provide accurate financial restatements for several years of financial results as part of a bankruptcy emergence process. We analyzed specific large contracts and transactions to determine the appropriateness of revenue recognition. Issues included analysis of revenue recognition in long-term contracts, treatment of revenue as gross vs. net, government contracts and fees, discounts and adjustments in contracts, legal settlements, and fair value of services.
- Computer Communications Equipment Company – Internal and SEC Investigation – Investigated accounting irregularities at a publicly held computer communications equipment company and assisted the company with its response to a formal SEC investigation into its accounting practices and its large financial restatement. Many of the issues involved the proper recognition of revenue included in multi-element arrangements.
- Large Manufacturing Companies - Purchase Price Dispute Arbitration – Neutral arbitrator in a Purchase Price Dispute Arbitration involving the sale of a large manufacturing company. The dispute involved accounting for reserve for doubtful accounts, reserves for obsolete and excess inventory, consignment inventory, accrued expenses, accrued litigation costs, accrued vacation, accrued warranty expense, contingent losses, deferred revenue and accrued bonus expense.
- Large Health Care Entities – Purchase Price Dispute Arbitration – Neutral arbitrator in a Purchase Price Dispute Arbitration involving the working capital calculation relating to the sale of a business unit that operated long-term acute care hospitals. The working capital dispute involved the calculation of patient accounts receivable, prepaid deposits with medical suppliers, bonus accruals, other accrued expenses, and income taxes payable.



- Large Automotive Supplier – Purchase Price Dispute Arbitration – Provided neutral arbitration services in a Purchase Price Dispute Arbitration involving the sale of an automotive supplier.
- Global Travel Companies – Purchase Price Dispute Arbitration – Neutral arbitrator in a Purchase Price Dispute Arbitration involving the sale of a large travel company. The dispute involved the accounting for certain transaction bonuses and their effect on taxable income.
- Large Manufacturing Companies - Purchase Price Dispute Arbitration – Neutral arbitrator in a Purchase Price Dispute Arbitration involving the sale of a large manufacturing company. The dispute involved accounting for depreciation, intercompany payables and receivables, rebates and sales allowances.
- Large Agricultural Company – Purchase Price Dispute Arbitration – Provided neutral arbitration services in a Purchase Price Dispute Arbitration involving the sale of a large agricultural company. The dispute involved the accounting for marketing development funds, accounts receivable cut-off and severance pay.
- Large Food Company – Purchase Price Dispute Arbitration – Provided neutral arbitration services in a Purchase Price Dispute Arbitration involving the sale of a subsidiary of a large food company. The dispute involved the accounting for rebates to customers, alleged overstatement of accounts receivable, and severance pay under an employment agreement.
- Health Care – Purchase Price Dispute Arbitration - Provided neutral arbitration services in a Purchase Price Dispute Arbitration involving the sale of an orthopedic medical practice. The disputed items in this matter related to accounts receivable, prepaid expenses and fees payable from the purchaser to the seller.
- Tool Manufacturer – Purchase Price Dispute Arbitration – Provided neutral arbitration services in a Purchase Price Dispute Arbitration involving the accounting for pre-paid expenses, uncollectible receivables, liabilities not assumed and employee benefits.
- Baking Operation – Purchase Price Dispute Arbitration – Provided neutral arbitration services in a matter involving the sale of a large baking operation. The dispute involved the accounting for freight accruals and customer promotions and allowances.
- Large Oil and Gas Company – Purchase Price Dispute Arbitration – Assisted a newly formed entity created from a spinoff transaction resulting from the sale of a large publicly traded oil and gas company to another large publicly traded oil and gas company. The spinoff transaction resulted in a Purchase Price Dispute Arbitration involving a working capital calculation regarding liabilities assumed by the newly formed entity. Specifically the working capital dispute involved liabilities assumed by the newly formed entity regarding long-term contracts to provide services to third-party investors, undistributed profits to third-party investors, intercompany payments made by the newly formed company on behalf of the acquired company, and other accrued liabilities.
- Engine Manufacturing Company - Purchase Price Dispute Arbitration – Expert in a Purchase Price Dispute Arbitration involving the sale of the engine division of a manufacturing company. The dispute involved accounting for accounts receivable and reserves for doubtful accounts, intercompany payables and receivables, obsolete and slow moving inventory and rebates and sales allowances.
- Manufacturer of Greeting Cards - Purchase Price Dispute Arbitration – Assisted the seller in a matter involving the sale of a subsidiary of a greetings card company. The dispute involved the accounting for accounts receivable, including credits and returns

allowances, reserves for modular changes, reserve on contingent inventory, excess and obsolete inventory, vacation accrual, workers' compensation, and contingent losses.

- Overseas Dairy Operation – Purchase Price Dispute Arbitration – Consulted in this matter where the disputed items included the accounting for subsidiary debt, application of ownership percentages, treatment of deferred revenues, and cash balances used in the calculation of the purchase price.
- Heavy Equipment Distributors – Purchase Price Dispute Arbitration - Consulted in a purchase price arbitration between two heavy equipment distributors. The disputed items involved reserve for bad debt; valuations of inventory, land, and buildings; and the capitalization of costs.
- Automotive Supplier – Post-Acquisition Dispute – Assisted the seller of a large automotive supplier on a post-acquisition dispute involving the proper accounting for capital and operating leases.
- Large Private Equity Firm – Purchase Price Dispute Arbitration – Assisted the seller in a Purchase Price Dispute Arbitration involving the working capital calculation relating to the sale of a business that manufactured, marketed and distributed plastic containers. The working capital dispute involved the accounting treatment, calculation, and classification of deferred revenues associated with long-term customer contracts, prepaid inventory and operating supplies, accounts receivable and associated reserves and taxes payable.
- Large Private Equity Firm/ Over the Counter Pharmaceutical Company – Purchase Price Dispute Arbitration and Breach of Representations and Warranties Litigation – Assisted the seller of a business that marketed and distributed brand name consumer pharmaceutical products in the over-the-counter healthcare segment. The disputes involved accounting for allowances for co-op advertising with respect to customer contracts, volume rebates provided to customers, obsolete and excess inventory reserves, inventory physical count adjustments, accrued expenses, accounts payable, accrued coupon liabilities, recall contingencies, waste disposal liabilities, litigation contingencies and franchise tax issues.
- Health Care Companies – Purchase Price Dispute Arbitration – Assisted the seller in a Purchase Price Dispute Arbitration involving the sale of a large health care company. The dispute involves the accounting for accruals for stock options.
- Multinational Corporations – Purchase Price Dispute Arbitration - Consulted in a Purchase Price Dispute Arbitration between two multinational corporations. The disputed items were well over \$100 million and involved deferred taxes both in the U.S. and overseas, research and development costs, valuation of fixed assets, foreign currency translations, environmental liabilities, warranty reserves, sales of discontinued operations, accounting for leases and accounting for pensions.
- Large University/Global Pharmaceutical Company – Royalty Dispute - Expert witness in a matter on behalf of a large public university against a global pharmaceutical company in a dispute involving the payment of royalties under a global license agreement. This matter involved the treatment of rebates in the calculation of the royalty payments.
- Large Insurance Companies – Coverage Dispute - Expert in this matter for two large insurance companies in a dispute with an insured over coverage for costs relating to an SEC investigation and a subsequent restatement.

- Big 4 Accounting Firm – Accountant's Liability at Life Insurance Company – Assisted a Big 4 accounting firm in an accountant's liability matter. It was alleged that the auditors failed to alert regulators of a large insurance company of going concern issues at the parent of the insurance company.
- Health Care – Forensic Investigation/Purchase Price Dispute/Indemnification Litigation Currently engaged as an expert witness by a large health care entity that acquired another health care company. Shortly after the purchase, the purchaser discovered fraudulent financial statement entries and potential Medicare/Medicaid fraud, revenue recognition issues, accounts receivable and EBITDA.
- Wine Production and Distribution – Shareholder Dispute – Assisted in a shareholder dispute involving a large family owned company that owned and managed vineyards and wineries, imported, exported, marketed and sold wine.
- Aerospace Company – Lost Profits and Antitrust Damages - Assisted in defending a patent damages claim for an aerospace company and prepared a counterclaim alleging antitrust damages.
- Auto Manufacturer – Breach of Contract – Assisted a large U.S. auto manufacturer against a NASCAR racing team in a breach of contract claim involving a sponsorship agreement. Damages included the return of a portion of the sponsorship fee and recovery of certain development costs incurred as part of the agreement.
- Auto Manufacturer – Dealer Terminations – Expert witness for a large U.S. auto manufacturer in several AAA arbitrations to analyze financial performance of terminated dealerships.
- Specialty Chemicals Manufacturer – Lost Profits - Breach of Technology License Agreement – Expert in the matter involving lost profits as a result of an alleged breach of a technology license agreement for the manufacture and distribution of specialty chemicals in Singapore, Indonesia and Malaysia.
- Finance and Leasing Company – Lost Profits - Breach of Contract - Assisted a Fortune 50 company in a dispute involving lost profits and other damages due to the defective conversion of 747 airplanes from passenger planes to cargo freighters. The analysis involved determining lost cargo shipping revenue and determining operating costs and long term maintenance costs (including costs for A, B, C and D checks) for the aircraft.
- Real Estate Holding Company – Breach of Contract, Wrongful Interference and Termination – Assisted the board of directors of a business that owns, purchases, develops, leases, markets, constructs and sells real estate property in an action by one of its terminated executives alleging wrongful termination, breach of his employment contracts and wrongful interference. The matter included analyzing the business' complicated ownership and control structure including many agreements, public investors and limited partners. It was alleged that the company improperly liquidated assets and made improper distributions to investors. We assisted in determining the proper payouts under the agreements and under the executives' employment agreements which were related to several of the real estate transactions and partnership agreements.
- Real Estate Developer – Lost Profits - Breach of Contract – Expert in this matter involving lost profits as a result of delays allegedly caused by a subcontractor. The property involved was a complex that contained apartment rental units, assisted living units, single family homes, town homes and retail space.
- Public Utility – Breach of Contract – Consulted on this matter adverse to a coal mining operation involving a breach of contracts to provide coal to a public electricity supplier.

Issues involved damages related to the breach and the ability of the coal supplier to pay a judgment if obtained. Our work included analysis of financial information of the coal mining operation.

- Manufacturer of Asbestos Products - Fraudulent Conveyance – Provided consulting services to the creditor's committee in a matter involving allegations of fraudulent conveyance of assets by a company that was insolvent prior to the transfers taking place because of unrecorded asbestos liabilities.
- Fast Food Company – Copyright infringement - Assisted the plaintiff in a copyright infringement claim against a large fast food company.
- Manufacturer of Bedding Products – Lost Profits and Accelerated Re-Entry Damages - Assisted the plaintiff claiming lost profits and accelerated re-entry damages involving patents on bedding products.
- US Federal Government Agency – Lost Earnings Damages - Testified at deposition regarding lost profits in a case involving wrongful termination.
- Gaming Product Manufacturer – Lost Profits Damages - Prepared large database for use in calculation of damages in a dispute involving lost profits for patent infringement. The database consisted of several million records, which were manipulated to extract relevant data, the data was tested for integrity, and then the information gathered was used to calculate lost profits.
- Big 4 Accounting Firm – Accountant's Liability – Assisted a Big 4 accounting firm in its defense regarding an accountant's liability matter. The plaintiff alleged that the auditors failed to detect fraud which resulted in the material misstatement of their client's financial statements. The main issue in this case involved the accounting for revenue recognition in bill and hold transactions.
- Large Accounting Firm – Accountant's Liability – Assisted in a large accounting firm in its defense regarding an accountant's liability matter. The plaintiff alleged that the auditors failed to detect an embezzlement from a client's 401(k) plan. We analyzed whether the audit was done in compliance with Generally Accepted Auditing Standards.
- Banking – RTC Investigations – Worked on various investigations of bank failures involving the Resolution Trust Corporation.
- Brand Imaging Company – Investigation – Engaged to assist a company in determining whether certain acquisition costs were properly expensed or capitalized.
- Government Contractor – Internal Investigation - Investigated certain suspicious transactions performed by the CFO of a government contractor and additional suspicious transactions. We analyzed the contractor's sources and uses of cash, reviewed journal entries, searched the CFO's office and computer, and interviewed witnesses as well as the suspect. The team's findings revealed the CFO was writing checks and recording journal entries between the parent company to adjust the subsidiary's books in order to be in compliance with loan covenants. The team reported its findings to the Board of Directors.
- Native American Casino – Internal Investigation - Performed a fraud investigation for a large Native American casino operation to determine why a large increase in revenue did not create a proportional increase in profits. Our work included reconciliations of various general ledger accounts, slot volatility analysis and analysis of customer player patterns and review of various internal controls.
- Manufacturer and Marketer of Sporting Goods – Internal Investigation - Assisted in the investigation of possible accounting irregularities at a manufacturer and marketer of

sporting goods. We conducted interviews and analyzed certain accounting information, including account reconciliations and non-standard journal entries. Events or circumstances that led to the accounting irregularities included an incomplete systems implementation, inaccurate processing of accounting information, and poor internal accounting controls.

- Automobile Manufacturer – Fraud Investigation - Performed a claim analysis and a fraud investigation in a large class action lawsuit on behalf of a U.S. automobile manufacturer. We worked with the manufacturer's claims processing center to test legitimacy of claims and investigate fraudulent claims.
- Major Bank – Fraud and Breach of Contract in Real Estate Transaction – Assisted the plaintiff in a matter which involved damages resulting from the defendant's alleged scheme to enter into a real estate transaction that benefited the defendant to the detriment of the plaintiff. We performed a retrospective valuation of the real estate asset involved and opined on the damages to the plaintiff as a result of the sale of the building.
- Regional Bank – Fraud and Breach of Contract – Consultant for a regional bank in a matter involving losses that the bank suffered on several commercial loans. We assisted the bank in evaluating whether the loans were reviewed in accordance with the bank's underwriting and professional standards. We also investigated the reasons for the failure of the loans including fraudulent financial statements and forged audit opinions.
- Major Bank – Lost Profits - Breach of Contract - Assisted the defendant in a case, in which the owners of a shopping center complex alleged that they were damaged when the defendant sublet their space in the shopping center to another bank. The plaintiff alleged that the loss of the defendant's name at the center of the property resulted in a reduction of foot traffic at the site and therefore, affected the plaintiff's ability to market space at the center. We were engaged to rebut the damage calculation set forth by a series of experts presented by the plaintiff.
- Agricultural Equipment Manufacturer – Lost Profits, Reasonable Royalty and Conveyed Sales Damages - Prepared a patent damages claim involving lost profits, reasonable royalty, conveyed sales, and prejudgment interest for an agricultural equipment manufacturer.
- Car Alarm OEM – Lost Profits and Reasonable Royalty - Assisted with the damage calculation in a plaintiff's claim for lost profits and reasonable royalties resulting from patent infringement of a major auto alarm manufacturer.
- Auto Manufacturer Car Alarm OEM – Lost Profits and Reasonable Royalty - Assisted defending lost profit and reasonable royalty claims resulting from patent infringement for major auto alarm manufacturer.
- Manufacturer of Insulated Products – Lost Profits, Reasonable Royalty and Disgorgement Damages - Assisted the plaintiff in a claim involving unjust enrichment under design patent claim; lost profits, reasonable royalty, and disgorgement under trade dress claim; and lost profits and reasonable royalty under process patent claim on behalf of a manufacturer of insulated products.
- Fortune 100 Companies – Lost Profits, Reasonable Royalty and Accelerated Re-entry Damages - Assisted plaintiff claiming lost profits, reasonable royalty, and future lost profits from accelerated re-entry involving two Fortune 100 companies in this patent infringement matter.

- Insurance Company – Coverage Dispute – Assisted one of the insurance companies involved in the NCAA Concussion cases with assessing and allocating the settlement of the matter to the insurance coverage available by policy year to multiple insurance companies. We also assisted in analyzing the damage models prepared by the opposing parties' expert and provided calculations based on various assumed scenarios to determine potential exposure.
- Major Insurance Company – Coverage Dispute – Expert in this matter involving coverage for a loss at a foreign pharmaceutical manufacturer.
- Large Life Insurance Company – Technical Accounting – Engaged by a large hedge fund as a consultant on technical accounting matters in its acquisition of a large life insurance company. Issues involved included the conversion of several years of financial statements from IFRS to GAAP, accounting for complex onshore and offshore reinsurance agreements, determining the treatment of intercompany account balances, technical analysis of GAAP and statutory accounting issues, determining the effects of transactions on statutory risk based capital, pro forma financial statement creation, analysis of post-acquisition adjustments and purchase accounting issues.
- Major Life Insurance Company – Damages and Technical Accounting – Expert for the insurance company in this class action matter alleging \$3 billion in damages for alleged miscalculations in its compliance with the limitation on retained surplus set forth in Section 141 of Chapter 175 of the General Laws of Massachusetts.
- Large Life Insurance Company – Class Action – Breach of Contract, Fraud and Alter Ego – Assisted in a matter in which the plaintiffs' sought injunctive declaratory and monetary relief for cost of insurance increases and punitive damages for alleged intentional and egregious misconduct. We were asked to opine on the regulatory and industry norms regarding particular types of life insurance policies and also on the potential alter ego relationship between the parent and subsidiary life insurance companies.
- Insurance Broker – Breach of Contract – Provided consulting services in this matter which involved the alleged breach of contract because of the inadvertent disclosure of information by the defendant, a global insurance broker. Assisted in analyzing a significant amount of financial information provided by the plaintiff to determine if the plaintiff was responsive to discovery requests and also to put the large amount of data into a form that was usable by the attorneys involved in the case.
- Major Insurance Company – Asbestos Class Action – Assisted a major insurance company in an arbitration in which the insured was seeking well over \$1 billion in indemnity payments for asbestos-related bodily injury claims. The insured was seeking indemnity payments for alleged "non-products" claims to third parties under its comprehensive general liability policies. We reviewed the report of the expert for the insured in order to assess allocations made between "products" and "non-products" claims, as well as to assess the validity of other assumptions made and conclusions reached.
- Major Insurance Company – Asbestos – Provided consulting services to a major insurance company prior to litigation on an issue involving a bankrupt asbestos products company. The insured sought indemnity payments for asbestos-related bodily injury claims under its comprehensive general liability policies. We analyzed the value of alleged "non-products" claims and evaluated asbestos liability estimates prepared by experts to determine the potential exposure to our client.
- Large Fast Food Restaurant Chain – Class Action Wage and Hour Matter – Accounting expert in a company-wide wage and hour class action against a large pizza company.



- Petroleum Companies – Breach of Contract - Assisted on a claim between two large petroleum companies to evaluate the effects of certain events that occurred in connection with the alleged breach of a right of first refusal contract. Issues involved the “substance over form” interpretation of a lease transaction.
- Health Care – Internal Investigation and Restatement - Engaged by the audit committee of the board of directors of a national provider of health care services with 35 hospitals to conduct an independent review of accounting practices at one of its large regional subsidiaries. We investigated and identified deficiencies in the subsidiary’s accounting practices between its provider system and its health plan and as a result of our investigation, the company prepared a restatement of its previously released financial statements.
- National Health Care Corporation – Fraudulent Conveyance and Alter Ego – Assisted plaintiffs who sought to avoid and recover certain transfers and obligations related to the sale of two hospitals because they alleged that the sales were fraudulent conveyances. We calculated the retrospective values of the hospitals and analyzed the alter ego relationship between the hospitals’ parents and their subsidiaries.

### ***Business Insurance Consulting***

- Grocery Store Chain – Hurricane Damage - Prepared an insurance claim on behalf of a chain of grocery stores in Puerto Rico for lost profits and property damage suffered as a result of a hurricane.
- Aluminum Smelting Plant – Wildcat Strike - Prepared an insurance claim on behalf of an aluminum smelting plant for lost profits and property damage suffered as a result of a wildcat strike.
- Financial Services – 9/11 Losses – Prepared an insurance claim on behalf of a large financial services firm for property damage, business interruption and extra expenses as a result of the September 11, 2001 attacks on the World Trade Center.

### ***Other***

- Forensic Audit Assist – Assigned as the fraud specialist for Midwest audit clients in the areas of Insurance, Distribution, Manufacturing and a holding company.
- Law Firm – Preference Payment in Bankruptcy - Assisted in defending a claim in bankruptcy alleging a preferential payment from an airline to a law firm.

### ***Testimony for the Last Four Years***

- Cinedigm Corp. v. Gaiam, Private Accounting Arbitration, Arbitration Hearing Testimony on behalf of Gaiam, Inc., 2015.
- North Venture Partners, LLC v. Vocus, Inc., United States District Court, Northern District of California, Deposition Testimony on behalf of Vocus, Inc., 2015.
- Arbitration Re: Harris Corporation/Imagine Communications, Private Accounting Arbitration, Arbitration Hearing Testimony on behalf of Harris Corporation, 2015.
- North Venture Partners, LLC v. Vocus, Inc., United States District Court, Northern District of California, Special Master Hearing Testimony on behalf of Vocus, Inc., 2015.

- Tigor Title Insurance Company v. RNB Title LLC, et al., Circuit Court of Cook County, Deposition Testimony on behalf of Tigor Title Insurance Company, 2016.
- Karen L. Bacchi, Individually and on Behalf of all Persons Similarly Situated v. Massachusetts Mutual Life Insurance Company, United States District Court, District of Massachusetts, Deposition Testimony on behalf of Massachusetts Mutual Life Insurance Company, 2016.
- Marlin Management Company, LLC, et al. v. Inventus Power, Inc. f/k/a ICC-Nexergy, Inc., American Arbitration Association, Deposition and Arbitration Hearing Testimony on behalf of Marlin Management Company, LLC, 2016.
- North Venture Partners, LLC v. Vocus, Inc., United States District Court, Northern District of California, Deposition Testimony on behalf of Vocus, Inc., 2016.
- The Charter Oak Fire Company, et al. v. American Capital Ltd., United States District Court for the District of Maryland, Deposition and Trial Testimony on behalf of Charter Oak Fire Company and Travelers Insurance, 2017.
- Marketing Concepts Group, Inc. v. Aldi, In the Circuit Court of Cook County, County Department Law Division, Deposition Testimony on behalf of Aldi, 2017.
- DXC Technology Company v. Hewlett Packard Enterprise Company, CPR Institute, Deposition and Arbitration Hearing Testimony on behalf of DXC Technology Company, 2018.
- Uptake Technologies v. Panduit Corp., American Arbitration Association, Arbitration Hearing Testimony on behalf of Panduit Corp., 2019.

***Publications and Presentations for the Last Ten Years***

- Strategic Considerations of Earnout Provisions, Alvarez & Marsal Raising the Bar eNewsletter, March/April 2010.
- AICPA National Forensic Accounting Conference, Earnouts: Case Study, September, 2010.
- Mitigating Common M&A Purchase Price Disputes, Alvarez & Marsal Raising the Bar eNewsletter, September 2011.
- Mergers and Acquisitions Disputes, AICPA Forensic and Valuation Services Section Practice Aid, 2012.
- Purchase Price Disputes, Legal and Accounting Considerations, Training at External Law Firm, 2014.
- Navigating Post-Closing Purchase Price Disputes, Alvarez & Marsal Raising the Bar eNewsletter, December 2014.
- Avoiding Working Capital Dispute Pitfalls, Alvarez & Marsal Raising the Bar eNewsletter, May 2017.
- Purchase Price Disputes, Alvarez & Marsal Internal Training, February 2018



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## **Appendix 2**

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**Appendix 2**

**Documents and Information Considered**

**I. Pleadings**

Cuyahoga County et al. Second Amended Corrected Complaint dated May 25, 2018  
Summit County et al. Corrected Second Amended Complaint dated May 18, 2018  
Summit County et al. Third Amended Complaint dated March 21, 2019  
Defendant McKesson Corporation's Answer and Affirmative Defenses dated January 15, 2019

**II. Interrogatory Responses**

Cuyahoga County's First Amended Responses and Objections to Distributor Defendants' First Set of Interrogatories dated June 20, 2018  
Cuyahoga County's Responses and Objections to Manufacturer Defendants' Second Set of Interrogatories dated July 5, 2018  
Cuyahoga County's First Amended Responses and Objections to Distributor Defendants' Third Set of Interrogatories dated August 13, 2018  
Cuyahoga County's Second Amended Responses and Objections to Manufacturer Defendants' First Set of Interrogatories dated August 17, 2018  
Summit County and the City of Akron's First Amended Responses and Objections to Distributor Defendants' First Set of Interrogatories dated June 20, 2018  
Summit County and the City of Akron's Initial Responses and Objections to Manufacturer Defendants' Second Set of Interrogatories dated July 5, 2018  
Summit County and the City of Akron's First Amended Responses and Objections to Distributor Defendants' Third Set of Interrogatories dated August 13, 2018  
Summit County and City of Akron's Second Amended Responses and Objections to Manufacturer Defendants' First Set of Interrogatories dated August 17, 2018  
Summit County and City of Akron's First Amended Responses and Objections to the National Retail Pharmacy Defendants' First Set of Interrogatories dated September 26, 2018  
Cuyahoga County's Supplemental Responses and Objections to Distributor Defendants' Interrogatory Number 18 Pursuant to Special Master Cohen's October 23, 2018 Order dated November 5, 2018  
Summit County's Supplemental Responses and Objections to Distributor Defendants' Interrogatory Number 18 Pursuant to Special Master Cohen's October 23, 2018 Order dated November 5, 2018  
Summit County's Second Supplemental Response and Objections to Distributor Defendants' Interrogatory No. 18 Pursuant to the Court's November 21, 2018 Order dated November 30, 2018  
Cuyahoga County's Second Supplemental Response and Objections to Distributor Defendants' Interrogatory No. 18 Pursuant to the Court's November 21, 2018 Order dated November 30, 2018

**III. Court Orders and Discovery Rulings**

Opinion and Order from J. Polster dated December 19, 2018 (Dkt. No. 1203)  
Order re Objections to Discovery Ruling No. 17 from J. Polster dated April 10, 2019 (Dkt. No. 1535)  
Order Granting an Extension to File a Single, Supplemental Report on Children's Services' Damages from SM Cohen dated May 7, 2019

**IV. Plaintiffs' Experts' Depositions**

Deposition of Caleb Alexander dated April 26, 2019  
Deposition of David Cutler Part I dated April 26, 2019  
Deposition of David Cutler Part II dated April 27, 2019  
Deposition of Katherine Keyes dated April 29, 2019 and Exhibits 1-19  
Deposition of Jeffrey Liebman dated May 3, 2019 and Exhibits 1-16

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Deposition of Thomas McGuire Part I dated April 23, 2019 and Exhibits 1-5  
Deposition of Thomas McGuire Part II dated April 30, 2019  
Deposition of Scott Wexelblatt dated April 24, 2019

**V. Other Depositions**

**A. Cuyahoga County**

Deposition of Terrence Allan dated December 17, 2018 and Exhibits 1-15  
Deposition of Melinda Burt dated October 30, 2018 and Exhibits 3, 4, and 6  
Deposition of Christopher Cabot dated November 2, 2018 and Exhibits 1-19  
Deposition of Brandy Carney dated January 16, 2019 and Exhibits 1-11  
Deposition of William Denihan dated January 30, 2019 and Exhibits 1-16  
Deposition of Deborah Forkas dated January 23, 2019 and Exhibits 1-11  
Deposition of James Gatt dated December 20, 2018 and Exhibits 1-4  
Deposition of Donald Gerome Part I dated November 14, 2018 and Exhibits 3 and 4  
Deposition of Donald Gerome Part II dated March 22, 2019 and Exhibits 8-25  
Deposition of Thomas Gilson 30(b)(6) dated January 14, 2019 and Exhibits 1-3 and 7-14  
Deposition of Thomas Gilson dated January 22, 2019 and Exhibits 1-6  
Deposition of Heidi Lynelle Duff Gullett dated December 14, 2018 and Exhibits 1-9  
Deposition of James Gutierrez, Esq. dated January 31, 2019 and Exhibits 1-14  
Deposition of James Gutierrez 30(b)(6) dated January 31, 2019 and Exhibits 1-2  
Deposition of Sharon Sobol Jordan dated February 7, 2019 and Exhibits 1-9  
Deposition of Sharon Cole Juhan dated March 13, 2019 and Exhibits 1-10  
Deposition of Claire Kaspar dated January 15, 2019 and Exhibits 1-19  
Deposition of Maggie Keenan dated December 12, 2018 and Exhibits 1-19  
Deposition of Maggie Keenan 30(b)(6) dated January 18, 2018 and Exhibits 1-3  
Deposition of Molly Leckler dated November 19, 2018 and Exhibits 1-24  
Deposition of Allisyn Leppla dated January 15, 2019 and Exhibits 1-18  
Deposition of Trevor McAleer dated January 10, 2019 and Exhibits 1-13  
Deposition of Egdilio Morales dated January 23, 2019  
Deposition of David Merriman dated January 8, 2019 and Exhibits 1-24  
Deposition of W. Christopher Murray Part I dated August 3, 2019 and Exhibits 1, 6-7  
Deposition of W. Christopher Murray Part II dated February 21, 2019 and Exhibits 1-6  
Deposition of Joseph Nanni dated January 10, 2019 and Exhibits 1-16  
Deposition of Scott Osiecki dated January 18, 2019 and Exhibits 1-27  
Deposition of Walter Parfejewiec dated November 8, 2019 and Exhibits 1-3, 5-14, 16, and 18  
Deposition of Ralph Piatak dated January 14, 2018 and Exhibits 1-19  
Deposition of Christina Delos Reyes dated February 8, 2019 and Exhibits 1-8  
Deposition of Patricia Rideout dated January 11, 2019 and Exhibits 1-30  
Deposition of Farid Sabet dated January 28, 2019 and Exhibits 1-10  
Deposition of Hugh Shannon 30(b)(6) dated January 15, 2019 and Exhibits 1-3  
Deposition of Hugh Shannon Part II dated March 19, 2019 and Exhibits 8-13  
Deposition of Cory Swaisgood dated January 23, 2019 and Exhibits 1-10  
Deposition of April Vince dated December 13, 2018 and Exhibits 1-9  
Deposition of Deborah Watkins dated October 9, 2018 and Exhibits 1-10  
Deposition of Richard Weiler dated January 25, 2019 and Exhibits 1-7  
Deposition of Cynthia Weiskittel dated November 13, 2018 and Exhibits 1-32  
Deposition of Holly Woods dated September 27, 2018 and Exhibits 1-16  
Deposition of Holly Woods 30(b)(6) dated January 7, 2019

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**B. Summit County**

Deposition of Hylton Baker dated December 19, 2018 and Exhibits 1-16  
Deposition of Lori Baker-Stella dated March 29, 2019 and Exhibits 1-6  
Deposition of Shane Barker dated November 28, 2018 and Exhibits 1-22  
Deposition of Julie Barnes dated December 3, 2018 and Exhibits 1-14  
Deposition of Tonya Block dated November 14, 2018 and Exhibits 1-12  
Deposition of Margaret June Carr 30(b)(6) dated December 21, 2018 and Exhibits 1-11  
Deposition of Anne Connell-Freund dated January 24, 2019 and Exhibits 1-9  
Deposition of Gerald Craig dated January 11, 2018 and Exhibits 1-33  
Deposition of Brad Gessner dated December 3, 2018 and Exhibits 1-18  
Deposition of Patrick Gillespie dated January 8, 2019 and Exhibits 1-17  
Deposition of Gary Guenther dated October 16, 2018 and Exhibits 1-20  
Deposition of William Harper dated December 11, 2018 and Exhibits 1-15  
Deposition of Jennifer Hawkins Dated February 28, 2019 and Exhibits 1-14  
Deposition of Eric Hutzell dated January 8, 2019 and Exhibits 1-19  
Deposition of Greta Johnson 30(b)(6) dated January 15, 2019 and Exhibits 1-19  
Deposition of Darin Kearns dated December 5, 2018 and Exhibits 1-12  
Deposition of Lisa Kohler dated July 31, 2018 and Exhibits 1-20  
Deposition of Brian Nelsen dated December 19, 2018 and Exhibits 1-21  
Deposition of Brian Nelsen 30(b) (6) dated January 24, 2019 and Exhibits 1-5  
Deposition of Matthew Paolino dated December 5, 2018 and Exhibits 1-3  
Deposition of Kimberly Patton dated January 22, 2019 and Exhibits 1-9  
Deposition of Steve Perch dated October 18, 2018 and Exhibits 1-8  
Deposition of Jackie Pollard dated November 30, 2018 and Exhibits 1-5  
Deposition of Mark Potter dated January 18, 2019 and Exhibits 1-8  
Deposition of John Saros dated January 22, 2019 and Exhibits 1-4  
Deposition of Donna Skoda dated August 14, 2018 and Exhibits 1-18  
Deposition of Douglas Smith dated November 16, 2018 and Exhibits 1-26  
Deposition of George Sterbenz dated October 17, 2018 and Exhibits 1-11  
Deposition of Carolyn Stevenson dated December 18, 2018 and Exhibits 1-10

**C. Akron**

Deposition of Gertrude Wilms dated August 3, 2018 and Exhibits 1, 2, 5, 13, 16, 18, 19, and 20  
Deposition of Jeff Sturmi dated November 15, 2018 and Exhibits 1-6, 8-13, 16-17, 19, 21-24

**D. Cleveland**

Deposition of Gary Gingell dated November 20, 2018 and Exhibits 1-9, 11-15, and 17-26  
Deposition of Matt Baeppler dated January 17, 2019 and Exhibits 1-26  
Deposition of Christopher Kippes dated January 18, 2018 and Exhibits 1-21

**VI. Expert Reports**

Supplemental Expert Witness Report of Caleb Alexander dated April 3, 2019 including Appendices, citations, and all other supplemental materials  
Expert Report of David Cutler dated March 25, 2019 including Appendices, citations, and all other supplemental materials  
Expert Witness Report of Katherine Keyes dated March 24, 2019 including citations  
Expert Report of Anna Lembke dated March 25, 2019 including Appendices, citations, and all other supplemental materials  
Expert Report of Jeffrey B. Liebman dated March 25, 2019 including Appendices, citations, and all other supplemental materials

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Supplemental Expert Report of Jeffery B. Liebman dated April 3, 2019 including Appendices, citations, and all other supplemental materials  
 Expert Report of Craig McCann dated March 25, 2019 including Appendices and citations  
 Supplemental Expert Report of Craig McCann dated April 3, 2019 including Appendices and citations  
 Second Supplemental Expert Report of Craig McCann dated April 15, 2019 including Appendices and citations  
 Expert Report of Thomas McGuire Damages to Bellwethers dated March 25, 2019 including Appendices, citations, and all other supplemental materials  
 Expert Report of Thomas McGuire Regarding Public Nuisance dated March 25, 2019 including Appendices, citation, and all other supplemental materials  
 Expert Report of Meredith Resenthal dated March 25, 2019 including Appendices and citations  
 Expert Report of Scott L. Wexelblatt dated March 25, 2019 including citations  
 Expert Report of Nancy K. Young dated March 25, 2019 including Appendices, citations, and all other supplemental materials

**VII. County Budgets and Annual Financial Reports****A. Cuyahoga County**

Cuyahoga 2017 CAFR ([https://fiscalofficer.cuyahogacounty.us/pdf\\_fiscalofficer/en-US/2017CCFinancialAudit.pdf](https://fiscalofficer.cuyahogacounty.us/pdf_fiscalofficer/en-US/2017CCFinancialAudit.pdf))  
 Cuyahoga 2016 CAFR/Single Audit (CUYAH\_001975499)  
 Cuyahoga 2015 CAFR/Single Audit (CUYAH\_001975132)  
 Cuyahoga 2014 CAFR/Single Audit (CUYAH\_001974795)  
 Cuyahoga 2013 CAFR/Single Audit (CUYAH\_001974448)  
 Cuyahoga 2012 CAFR/Single Audit (CUYAH\_001974107)  
 Cuyahoga 2011 CAFR/Single Audit (CUYAH\_001973976)  
 Cuyahoga 2010 CAFR/Single Audit (CUYAH\_001973867)  
 Cuyahoga 2009 CAFR/Single Audit (CUYAH\_001973762)  
 Cuyahoga 2008 CAFR/Single Audit (CUYAH\_001973659)  
 Cuyahoga 2007 CAFR (CUYAH\_005986033)  
 Cuyahoga 2006 CAFR (CUYAH\_001973384)  
 Cuyahoga 2007 Single Audit (CUYAH\_001968898)  
 Cuyahoga 2006 Single Audit (CUYAH\_001968627)  
 Cuyahoga 2018-2019 Administrator's/Executive's Recommended Budget (CUYAH\_000011081)  
 Cuyahoga 2016-2017 Administrator's/Executive's Recommended Budget (CUYAH\_000009368)  
 Cuyahoga 2014-2015 Administrator's/Executive's Recommended Budget (CUYAH\_000008908)  
 Cuyahoga 2012-2013 Administrator's/Executive's Recommended Budget (CUYAH\_005988028)  
 Cuyahoga 2011 Administrator's/Executive's Recommended Budget (CUYAH\_000005497)  
 Cuyahoga 2010 Administrator's/Executive's Recommended Budget (CUYAH\_000004553)  
 Cuyahoga 2009 Administrator's/Executive's Recommended Budget (CUYAH\_000000820)  
 Cuyahoga 2008 Administrator's/Executive's Recommended Budget (CUYAH\_000004037)  
 Cuyahoga 2007 Administrator's/Executive's Recommended Budget (CUYAH\_000003173)  
 Cuyahoga 2018-2019 Budget Plan (CUYAH\_000010910)  
 Cuyahoga 2016-2017 Budget Plan (CUYAH\_005987279)  
 Cuyahoga 2014-2015 Budget Plan (CUYAH\_000008003)  
 Cuyahoga 2012-2013 Budget Plan (CUYAH\_000005740)  
 Cuyahoga 2010 Budget Plan (CUYAH\_000001136)  
 Cuyahoga 2009 Budget Plan (CUYAH\_000000200)  
 Cuyahoga 2008 Budget Plan (CUYAH\_000003509)  
 Cuyahoga 2007 Budget Plan (CUYAH\_000002564)  
 Cuyahoga 2006 Budget Plan (CUYAH\_000001932)

**HIGHLY CONFIDENTIAL****Appendix 2****B. Summit County**

Summit 2017 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/1741-2017-cafr>)

Summit 2016 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/1702-2016-cafr>)

Summit 2015 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/1649-2015-cafr>)

Summit 2014 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/1616-2014-cafr>)

Summit 2013 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/1059-2013-cafr>)

Summit 2012 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/853-2012-cafr>)

Summit 2011 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/780-2011-cafr>)

Summit 2010 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/744-2010-cafr>)

Summit 2009 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/645-2009-cafr>)

Summit 2008 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/63-2008-cafr>)

Summit 2007 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/62-2007-cafr>)

Summit 2006 CAFR (<https://fiscaloffice.summitoh.net/index.php/documents-a-forms/finish/8-comprehensive-annual-financial-reports/61-2006-cafr>)

Summit 2019 Operating Budget  
([https://co.summitoh.net/images/stories/Finance/pdf/OperatingBudget/CountyofSummit\\_2019AdoptedOperatingBudget.pdf](https://co.summitoh.net/images/stories/Finance/pdf/OperatingBudget/CountyofSummit_2019AdoptedOperatingBudget.pdf))

Summit 2018 Operating Budget (SUMMIT\_000008414)

Summit 2017 Operating Budget (SUMMIT\_000007551)

Summit 2016 Operating Budget (SUMMIT\_000006663)

Summit 2015 Operating Budget (SUMMIT\_000005697)

Summit 2014 Operating Budget (SUMMIT\_000004576)

Summit 2013 Operating Budget (SUMMIT\_000000207)

Summit 2012 Operating Budget (SUMMIT\_000002922)

Summit 2011 Operating Budget (SUMMIT\_000002310)

Summit 2010 Operating Budget (SUMMIT\_000001728)

Summit 2009 Operating Budget (SUMMIT\_000015990)

Summit 2008 Operating Budget (SUMMIT\_000015385)

Summit 2007 Operating Budget (SUMMIT\_000014772)

Summit 2006 Operating Budget (SUMMIT\_000014151)

**VIII. Divisional Budgets and Annual Reports****A. Cuyahoga County**

ADAMHS 2017 Annual Report (CUYAH\_000012577)

ADAMHS 2016 Annual Report ([http://adamhscc.org/pdf\\_adamhscc/en-us/Publications/ADAMHSCCRpts/16AnnualRpt.pdf](http://adamhscc.org/pdf_adamhscc/en-us/Publications/ADAMHSCCRpts/16AnnualRpt.pdf))

ADAMHS 2015 Annual Report (CUYAH\_000012561)

ADAMHS 2014 Annual Report (CUYAH\_000012545)

ADAMHS 2013 Annual Report (CUYAH\_000012529)

ADAMHS 2012 Annual Report (CUYAH\_000012513)



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ADAMHS 2011 Annual Report (CUYAH\_000012497)  
 ADAMHS 2010 Annual Report (CUYAH\_000012481)  
 ADAMHS 2009 Annual Report (CUYAH\_000012457)  
 Mental Health Board 2008 Annual Report (CUYAH\_000012445)  
 Mental Health Board 2007 Annual Report (CUYAH\_000012433)  
 Mental Health Board 2006 Annual Report (CUYAH\_000012421)  
 ADAMHS 2014 Budget (CUYAH\_000013464)  
 Office of the Prosecutor 2016 Report to the Public (CUYAH\_001368881)  
 Office of the Prosecutor 2015 Report to the Public (CUYAH\_012970490)  
 Court of Common Pleas 2017 Annual Report (CUYAH\_001349609)  
 Court of Common Pleas 2016 Annual Report (CUYAH\_000088633)  
 Court of Common Pleas 2015 Annual Report (CUYAH\_000088545)  
 Court of Common Pleas 2014 Annual Report (CUYAH\_000088469)  
 Court of Common Pleas 2013 Annual Report (CUYAH\_000088393)  
 Court of Common Pleas 2012 Annual Report (CUYAH\_000088317)  
 Court of Common Pleas 2011 Annual Report (CUYAH\_000088247)  
 Court of Common Pleas 2010 Annual Report (CUYAH\_000088171)  
 Court of Common Pleas 2009 Annual Report (CUYAH\_000088095)  
 Court of Common Pleas 2008 Annual Report (CUYAH\_001348726)  
 Court of Common Pleas 2007 Annual Report (CUYAH\_001348617)  
 Court of Common Pleas 2006 Annual Report (CUYAH\_001348557)  
 Juvenile Court 2017 Annual Report ([http://juvenile.cuyahogacounty.us/pdf\\_juvenile/en-US/AnnualReports/2017AnnualReport.pdf](http://juvenile.cuyahogacounty.us/pdf_juvenile/en-US/AnnualReports/2017AnnualReport.pdf))  
 Juvenile Court 2016 Annual Report (CUYAH\_012970438)  
 Juvenile Court 2015 Annual Report (CUYAH\_012970386)  
 Juvenile Court 2014 Annual Report (CUYAH\_012970334)  
 Juvenile Court 2013 Annual Report (CUYAH\_012970290)  
 Juvenile Court 2012 Annual Report (CUYAH\_012970242)  
 Juvenile Court 2011 Annual Report (CUYAH\_012970190)  
 Juvenile Court 2010 Annual Report (CUYAH\_012970138)  
 Juvenile Court 2009 Annual Report (CUYAH\_012970082)  
 Juvenile Court 2008 Annual Report (CUYAH\_012970038)  
 Juvenile Court 2007 Annual Report (CUYAH\_012969998)  
 Juvenile Court 2006 Annual Report (CUYAH\_012969960)  
 Sheriff's Department 2017 Annual Report (CUYAH\_000117228)  
 Sheriff's Department 2016 Annual Report (CUYAH\_000114691)  
 Sheriff's Department 2015 Annual Report (CUYAH\_000120708)  
 Sheriff's Department 2014 Annual Report (CUYAH\_000114630)  
 Sheriff's Department 2013 Annual Report (CUYAH\_000114568)  
 Sheriff's Department 2012 Annual Report (CUYAH\_000114510)  
 Sheriff's Department 2011 Annual Report (CUYAH\_000114454)  
 Sheriff's Department 2010 Annual Report (CUYAH\_000106658)  
 Sheriff's Department 2009 Annual Report (CUYAH\_000106612)  
 Medical Examiner's 2016 Statistical Report (CUYAH\_000017649)  
 Medical Examiner's 2015 Statistical Report (CUYAH\_000017403)  
 Medical Examiner's 2014 Statistical Report (CUYAH\_000017141)  
 Medical Examiner's 2013 Statistical Report (CUYAH\_000016895)  
 Medical Examiner's 2012 Statistical Report (CUYAH\_000016653)  
 Medical Examiner's 2011 Statistical Report (CUYAH\_000016423)  
 Medical Examiner's 2007-2010 Statistical Report (CUYAH\_000016139)  
 Medical Examiner's 2006 Statistical Report (CUYAH\_000015903)

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**Appendix 2****B. Summit County**

ADM 2014 Annual Clinic Report (SUMMIT\_001019681)  
 ADM 2013 Annual Clinic Report (SUMMIT\_000942201)  
 ADM 2012 Annual Clinic Report (SUMMIT\_001176670)  
 ADM 2018 Annual Budget Review (SUMMIT\_001085282)  
 ADM 2017 Annual Budget Review (SUMMIT\_000019668)  
 ADM 2016 Annual Budget Review (SUMMIT\_000019580)  
 ADM 2015 Annual Budget Review (SUMMIT\_000019490)  
 ADM 2014 Annual Budget Review (SUMMIT\_000042884)  
 ADM 2013 Annual Budget Review (SUMMIT\_001184459)  
 ADM 2010 Annual Budget Review (SUMMIT\_000019388)  
 ADM 2009 Annual Budget Review (SUMMIT\_000019258)  
 ADM 2008 Annual Budget Review (SUMMIT\_000019112)  
 ADM 2007 Annual Budget Review (SUMMIT\_000018966)  
 Children Services 2017 Annual Report (SUMMIT\_002052855)  
 Children Services 2016 Annual Report (SUMMIT\_000003954)  
 Children Services 2015 Annual Report (SUMMIT\_000003942)  
 Children Services 2014 Annual Report (SUMMIT\_000003930)  
 Children Services 2013 Annual Report (SUMMIT\_000111088)  
 Children Services 2012 Annual Report (SUMMIT\_000111080)  
 Children Services 2011 Annual Report (SUMMIT\_000111072)  
 Children Services 2010 Annual Report (SUMMIT\_000111064)  
 Children Services 2009 Annual Report (SUMMIT\_000111056)  
 Children Services 2008 Annual Report (SUMMIT\_000111047)  
 Children Services 2007 Annual Report (SUMMIT\_000111033)  
 Children Services 2006 Annual Report (SUMMIT\_000111100)  
 Children Services 2018 Annual Budget (SUMMIT\_001874477)  
 Children Services 2017 Annual Budget (SUMMIT\_001128330)  
 Children Services 2016 Annual Budget (SUMMIT\_001128432)  
 Court of Common Pleas 2016 Annual Report (SUMMIT\_000004286)  
 Court of Common Pleas 2015 Annual Report (SUMMIT\_000004234)  
 Court of Common Pleas 2014 Annual Report (SUMMIT\_000004182)  
 Court of Common Pleas 2013 Annual Report (SUMMIT\_000004126)  
 Court of Common Pleas 2012 Annual Report (SUMMIT\_000004070)  
 Court of Common Pleas 2011 Annual Report (SUMMIT\_000004014)  
 Court of Common Pleas 2010 Annual Report (SUMMIT\_000003958)  
 Court of Common Pleas 2009 Annual Report (SUMMIT\_000111475)  
 Court of Common Pleas 2008 Annual Report (SUMMIT\_000111417)  
 Court of Common Pleas 2007 Annual Report (SUMMIT\_000111364)  
 Court of Common Pleas 2006 Annual Report (SUMMIT\_000111332)  
 Juvenile Division 2017 Annual Report (SUMMIT\_001547433)  
 Juvenile Division 2016 Annual Report (SUMMIT\_000087479)  
 Juvenile Division 2015 Annual Report (SUMMIT\_001520256)  
 Juvenile Division 2014 Annual Report (SUMMIT\_001520232)  
 Juvenile Division 2013 Annual Report (SUMMIT\_001520200)  
 Juvenile Division 2012 Annual Report (SUMMIT\_001520172)  
 Juvenile Division 2011 Annual Report (SUMMIT\_001520146)  
 Juvenile Division 2010 Annual Report (SUMMIT\_001520120)  
 Juvenile Division 2009 Annual Report (SUMMIT\_001520096)  
 Juvenile Division 2008 Annual Report (SUMMIT\_001520072)  
 Juvenile Division 2007 Annual Report (SUMMIT\_001520049)  
 Juvenile Division 2006 Annual Report (SUMMIT\_001520029)



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Sheriff's Office 2017 Annual Report (SUMMIT\_000290153)  
 Sheriff's Office 2017 Annual Report  
 (<https://co.summitoh.net/SHERIFF/images/stories/PDFs/2017%20annual%20report.pdf>)  
 Sheriff's Office 2016 Annual Report (SUMMIT\_000342376)  
 Sheriff's Office 2015 Annual Report (SUMMIT\_000342318)  
 Sheriff's Office 2014 Annual Report (SUMMIT\_000070610)  
 Sheriff's Office 2013 Annual Report (SUMMIT\_000342250)  
 Sheriff's Office 2009 Annual Report (SUMMIT\_001129077)  
 Sheriff's Office 2007 Annual Report (SUMMIT\_001129039)  
 Sheriff's Office 2006 Annual Report (SUMMIT\_001128987)  
 Sheriff's Office 2005 Annual Report (SUMMIT\_001128941)  
 Sheriff's Office 2004 Annual Report (SUMMIT\_001128895)  
 Sheriff's Office 2003 Annual Report (SUMMIT\_001128847)  
 Medical Examiner 2017 Annual Report (SUMMIT\_000022439)  
 Medical Examiner 2016 Annual Report (SUMMIT\_000022367)  
 Medical Examiner 2015 Annual Report (SUMMIT\_000022730)  
 Medical Examiner 2014 Annual Report (SUMMIT\_000022656)  
 Medical Examiner 2013 Annual Report (SUMMIT\_000022583)  
 Medical Examiner 2012 Annual Report (SUMMIT\_000022510)  
 Medical Examiner 2011 Annual Report (SUMMIT\_000023168)  
 Medical Examiner 2010 Annual Report (SUMMIT\_000023096)  
 Medical Examiner 2009 Annual Report (SUMMIT\_000023023)  
 Medical Examiner 2008 Annual Report (SUMMIT\_000022951)  
 Medical Examiner 2007 Annual Report (SUMMIT\_000022877)  
 Medical Examiner 2006 Annual Report (SUMMIT\_000022803)

**IX. Cuyahoga County Council Resolutions**

Cuyahoga County Council Resolution No. R2017-0021 ([http://council.cuyahogacounty.us/pdf\\_council/en-US/Legislation/Resolutions/2017/R2017-0021B%20OBM%20Fiscal%20Items%20for%202-14-2017.pdf](http://council.cuyahogacounty.us/pdf_council/en-US/Legislation/Resolutions/2017/R2017-0021B%20OBM%20Fiscal%20Items%20for%202-14-2017.pdf))  
 Cuyahoga County Council Resolution No. R2016-0234 ([http://council.cuyahogacounty.us/pdf\\_council/en-US/Legislation/Resolutions/2016/R2016-0234C%20OBM%20Fiscal%20Items%20for%2012-13-2016.pdf](http://council.cuyahogacounty.us/pdf_council/en-US/Legislation/Resolutions/2016/R2016-0234C%20OBM%20Fiscal%20Items%20for%2012-13-2016.pdf))  
 Cuyahoga County Council Resolution No. R2015-0010 ([http://council.cuyahogacounty.us/pdf\\_council/en-US/Legislation/Resolutions/2015/R2015-0010D%20Agreement%20with%20ADAMHS%20Board%20for%20Adult%20Probation%20Substance%20Abuse%20Residential%20Treatment%20Pgrm.pdf](http://council.cuyahogacounty.us/pdf_council/en-US/Legislation/Resolutions/2015/R2015-0010D%20Agreement%20with%20ADAMHS%20Board%20for%20Adult%20Probation%20Substance%20Abuse%20Residential%20Treatment%20Pgrm.pdf))  
 Cuyahoga County Council Resolution No. R2015-0009 ([http://council.cuyahogacounty.us/pdf\\_council/en-US/Legislation/Resolutions/2015/R2015-0009E%20Agreement%20with%20ADAMHS%20Board%20for%20FY2014%20Drug%20Court%20Expansion%20Project.pdf](http://council.cuyahogacounty.us/pdf_council/en-US/Legislation/Resolutions/2015/R2015-0009E%20Agreement%20with%20ADAMHS%20Board%20for%20FY2014%20Drug%20Court%20Expansion%20Project.pdf))  
 Cuyahoga County Council Resolution No. R2014-0051 ([http://council.cuyahogacounty.us/pdf\\_council/en-US/Legislation/Resolutions/2014/R2014-0051B%20OBM%20Fiscal%20Items%20for%202-25-2014.pdf](http://council.cuyahogacounty.us/pdf_council/en-US/Legislation/Resolutions/2014/R2014-0051B%20OBM%20Fiscal%20Items%20for%202-25-2014.pdf))  
 Cuyahoga County Council Resolution No. R2013-0057 ([http://council.cuyahogacounty.us/pdf\\_council/en-US/Legislation/Resolutions/2013/R2013-0057B%20OBM%20Fiscal%20Items%203-27-2013.pdf](http://council.cuyahogacounty.us/pdf_council/en-US/Legislation/Resolutions/2013/R2013-0057B%20OBM%20Fiscal%20Items%203-27-2013.pdf))  
 Cuyahoga County Council Resolution No. R2012-0002  
 ([http://www.council.cuyahogacounty.us/pdf\\_council/en-US/Legislation/Resolutions/2012/R2012-0002B%20OBM%20Fiscal%20Agenda%201-10-2012.pdf](http://www.council.cuyahogacounty.us/pdf_council/en-US/Legislation/Resolutions/2012/R2012-0002B%20OBM%20Fiscal%20Agenda%201-10-2012.pdf))

**HIGHLY CONFIDENTIAL****Appendix 2****X. Books & Other Literature Sources**

Baser, et al., Cost and Utilization Outcomes of Opioid-Dependence Treatments, Am. J. Manag. Care, Volume 17, S235-S248 (2011)

Barfield, Raiborn, and Kinney. Cost Accounting Traditions and Innovations. 2nd Edition, 1994.

Gruber, Jonathan. Public Finance and Public Policy, 2016.

Horngren, Sundem, and Stratton. Introduction to Management Accounting. 12th Edition, 2002.

Horngren, Harrison, and Robinson. Principles of Financial & Management Accounting. 1994.

James M. Buchanan (2008). "Opportunity cost". The New Palgrave Dictionary of Economics Online (Second ed.).

Mikesell, John L. Fiscal Administration. 10th Edition, 2018.

Sinaiko, et al., Implications of Family Risk Pooling for Individual Health Insurance Markets, Health Services and Outcomes Research Methodology, Volume 17, Issue 3–4. (Dec. 2017)

Weil, R., Lentz, D. and Evans, E. Litigation Services Handbook. 6th Edition, 2017, Section 4.4 “Damages Theory”; Section 4.2 “Fundamentals of Causation.”

Weil, R., Wagner, M. and Frank, P. Litigation Services Handbook. 3<sup>rd</sup> Edition, 2001, Section 5.3 “Issues Common to Most Damages Studies.”

**XI. Production Documents**

AKRON_000209254	CUYAH_000006987	CUYAH_000011596
CHC 001	CUYAH_000007217	CUYAH_000011616
CLEVE_002443689	CUYAH_000007428	CUYAH_000011642
CLEVE_002778417	CUYAH_000007467	CUYAH_000011799
CLEVE114	CUYAH_000007688	CUYAH_000011885
CLEVE124	CUYAH_000007712	CUYAH_000011997
CUYAH_000000001	CUYAH_000007930	CUYAH_000012351
CUYAH_000000065	CUYAH_000008641	CUYAH_000012363
CUYAH_000000133	CUYAH_000008681	CUYAH_000012371
CUYAH_000000719	CUYAH_000009207	CUYAH_000012383
CUYAH_000000748	CUYAH_000009270	CUYAH_000012397
CUYAH_000001647	CUYAH_000009291	CUYAH_000012409
CUYAH_000001731	CUYAH_000009317	CUYAH_000012593
CUYAH_000001812	CUYAH_000009327	CUYAH_000012595
CUYAH_000001875	CUYAH_000009346	CUYAH_000013106
CUYAH_000002440	CUYAH_000009614	CUYAH_000013806
CUYAH_000002503	CUYAH_000010261	CUYAH_000013813
CUYAH_000003073	CUYAH_000010320	CUYAH_000013818
CUYAH_000003100	CUYAH_000010330	CUYAH_000014655
CUYAH_000003437	CUYAH_000010368	CUYAH_000014731
CUYAH_000004007	CUYAH_000010424	CUYAH_000014963
CUYAH_000004295	CUYAH_000010827	CUYAH_000015195
CUYAH_000004375	CUYAH_000010846	CUYAH_000015429
CUYAH_000004524	CUYAH_000010897	CUYAH_000015665
CUYAH_000004799	CUYAH_000011252	CUYAH_000016195
CUYAH_000004969	CUYAH_000011263	CUYAH_000017387
CUYAH_000005146	CUYAH_000011319	CUYAH_000017939
CUYAH_000005328	CUYAH_000011403	CUYAH_000017941
CUYAH_000006330	CUYAH_000011444	CUYAH_000017947
CUYAH_000006574	CUYAH_000011493	CUYAH_000017998
CUYAH_000006845	CUYAH_000011526	CUYAH_000018000

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CUYAH_000018007	CUYAH_000019499	CUYAH_000020932
CUYAH_000018010	CUYAH_000019524	CUYAH_000020936
CUYAH_000018013	CUYAH_000019549	CUYAH_000020938
CUYAH_000018016	CUYAH_000019576	CUYAH_000020939
CUYAH_000018026	CUYAH_000019603	CUYAH_000020941
CUYAH_000018030	CUYAH_000019630	CUYAH_000020946
CUYAH_000018038	CUYAH_000019659	CUYAH_000020947
CUYAH_000018067	CUYAH_000019688	CUYAH_000020948
CUYAH_000018073	CUYAH_000019717	CUYAH_000020951
CUYAH_000018076	CUYAH_000019770	CUYAH_000020958
CUYAH_000018079	CUYAH_000019859	CUYAH_000020962
CUYAH_000018116	CUYAH_000019942	CUYAH_000020965
CUYAH_000018119	CUYAH_000019999	CUYAH_000020966
CUYAH_000018142	CUYAH_000020064	CUYAH_000020967
CUYAH_000018155	CUYAH_000020131	CUYAH_000020968
CUYAH_000018162	CUYAH_000020202	CUYAH_000020972
CUYAH_000018175	CUYAH_000020271	CUYAH_000020973
CUYAH_000018178	CUYAH_000020332	CUYAH_000020974
CUYAH_000018179	CUYAH_000020368	CUYAH_000020975
CUYAH_000018180	CUYAH_000020380	CUYAH_000020986
CUYAH_000018200	CUYAH_000020445	CUYAH_000020987
CUYAH_000018220	CUYAH_000020456	CUYAH_000020988
CUYAH_000018233	CUYAH_000020495	CUYAH_000020993
CUYAH_000018249	CUYAH_000020534	CUYAH_000020997
CUYAH_000018265	CUYAH_000020591	CUYAH_000021000
CUYAH_000018278	CUYAH_000020690	CUYAH_000021005
CUYAH_000018282	CUYAH_000020787	CUYAH_000021006
CUYAH_000018295	CUYAH_000020854	CUYAH_000021008
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CUYAH_000018489	CUYAH_000020875	CUYAH_000021040
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CUYAH_000019419	CUYAH_000020911	CUYAH_000021103
CUYAH_000019438	CUYAH_000020920	CUYAH_000021106
CUYAH_000019457	CUYAH_000020923	CUYAH_000021111
CUYAH_000019478	CUYAH_000020924	CUYAH_000021116

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CUYAH_000021117	CUYAH_000021389	CUYAH_000021648
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CUYAH_000021139	CUYAH_000021408	CUYAH_000021656
CUYAH_000021143	CUYAH_000021410	CUYAH_000021667
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CUYAH_000021185	CUYAH_000021442	CUYAH_000021691
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CUYAH_000021380	CUYAH_000021647	CUYAH_000021872

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CUYAH_000021880	CUYAH_000022125	CUYAH_000022303
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CUYAH_000021885	CUYAH_000022130	CUYAH_000022311
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CUYAH_000021894	CUYAH_000022137	CUYAH_000022320
CUYAH_000021902	CUYAH_000022142	CUYAH_000022343
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CUYAH_000021908	CUYAH_000022156	CUYAH_000022362
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CUYAH_000021917	CUYAH_000022165	CUYAH_000022368
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CUYAH_000021959	CUYAH_000022176	CUYAH_000022379
CUYAH_000021962	CUYAH_000022182	CUYAH_000022381
CUYAH_000021968	CUYAH_000022184	CUYAH_000022389
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CUYAH_000021975	CUYAH_000022191	CUYAH_000022412
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CUYAH_000022118	CUYAH_000022298	CUYAH_000022538
CUYAH_000022120	CUYAH_000022300	CUYAH_000022544
CUYAH_000022122	CUYAH_000022301	CUYAH_000022549

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CUYAH_000025010	CUYAH_000025346	CUYAH_000025599
CUYAH_000025012	CUYAH_000025351	CUYAH_000025601

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CUYAH_000025876	CUYAH_000026026	CUYAH_000026168
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CUYAH_000026900	CUYAH_000027061	CUYAH_000027231
CUYAH_000026903	CUYAH_000027062	CUYAH_000027234
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CUYAH_000028502	CUYAH_000028834	CUYAH_000028975
CUYAH_000028505	CUYAH_000028838	CUYAH_000028980

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CUYAH_000028992	CUYAH_000029157	CUYAH_000029316
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CUYAH_000029147	CUYAH_000029311	CUYAH_000029627



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CUYAH_000030392	CUYAH_000030608	CUYAH_000030761
CUYAH_000030409	CUYAH_000030609	CUYAH_000030764

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CUYAH_000032838	CUYAH_000032982	CUYAH_000033108
CUYAH_000032843	CUYAH_000032985	CUYAH_000033115
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CUYAH_000032851	CUYAH_000032988	CUYAH_000033117
CUYAH_000032854	CUYAH_000032989	CUYAH_000033118
CUYAH_000032858	CUYAH_000032990	CUYAH_000033119
CUYAH_000032859	CUYAH_000032991	CUYAH_000033120
CUYAH_000032862	CUYAH_000032994	CUYAH_000033144



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CUYAH_000033145	CUYAH_000033312	CUYAH_000033419
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CUYAH_000033157	CUYAH_000033319	CUYAH_000033573
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CUYAH_000033182	CUYAH_000033330	CUYAH_000033596
CUYAH_000033183	CUYAH_000033335	CUYAH_000033597
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CUYAH_000033194	CUYAH_000033342	CUYAH_000033614
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CUYAH_000033247	CUYAH_000033385	CUYAH_000033648
CUYAH_000033253	CUYAH_000033386	CUYAH_000033653
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CUYAH_000033303	CUYAH_000033411	CUYAH_000033692
CUYAH_000033304	CUYAH_000033412	CUYAH_000033695
CUYAH_000033305	CUYAH_000033414	CUYAH_000033701
CUYAH_000033308	CUYAH_000033417	CUYAH_000033702
CUYAH_000033311	CUYAH_000033418	CUYAH_000033703

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CUYAH_000033704	CUYAH_000033824	CUYAH_000034005
CUYAH_000033707	CUYAH_000033826	CUYAH_000034008
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CUYAH_000033758	CUYAH_000033882	CUYAH_000034062
CUYAH_000033763	CUYAH_000033883	CUYAH_000034063
CUYAH_000033766	CUYAH_000033933	CUYAH_000034064
CUYAH_000033767	CUYAH_000033934	CUYAH_000034067
CUYAH_000033768	CUYAH_000033937	CUYAH_000034072
CUYAH_000033774	CUYAH_000033938	CUYAH_000034073
CUYAH_000033775	CUYAH_000033942	CUYAH_000034074
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CUYAH_000033817	CUYAH_000034001	CUYAH_000034117
CUYAH_000033818	CUYAH_000034002	CUYAH_000034118



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CUYAH_000034130	CUYAH_000034254	CUYAH_000034388
CUYAH_000034136	CUYAH_000034259	CUYAH_000034389
CUYAH_000034137	CUYAH_000034264	CUYAH_000034392
CUYAH_000034139	CUYAH_000034268	CUYAH_000034393
CUYAH_000034143	CUYAH_000034269	CUYAH_000034396
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CUYAH_000034152	CUYAH_000034278	CUYAH_000034403
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CUYAH_000034172	CUYAH_000034298	CUYAH_000034419
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CUYAH_000034244	CUYAH_000034380	CUYAH_000034486
CUYAH_000034245	CUYAH_000034383	CUYAH_000034489

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CUYAH_000034609	CUYAH_000034735	CUYAH_000034975
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CUYAH_000035639	CUYAH_000035773	CUYAH_000035914

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CUYAH_000036043	CUYAH_000036147	CUYAH_000036263

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CUYAH_000038738	CUYAH_000038914	CUYAH_000039062
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CUYAH_000038750	CUYAH_000038918	CUYAH_000039067
CUYAH_000038752	CUYAH_000038925	CUYAH_000039070
CUYAH_000038753	CUYAH_000038926	CUYAH_000039071
CUYAH_000038754	CUYAH_000038927	CUYAH_000039073
CUYAH_000038755	CUYAH_000038931	CUYAH_000039074
CUYAH_000038760	CUYAH_000038932	CUYAH_000039075
CUYAH_000038761	CUYAH_000038933	CUYAH_000039077
CUYAH_000038763	CUYAH_000038943	CUYAH_000039078
CUYAH_000038771	CUYAH_000038944	CUYAH_000039080
CUYAH_000038772	CUYAH_000038946	CUYAH_000039084
CUYAH_000038775	CUYAH_000038947	CUYAH_000039085
CUYAH_000038788	CUYAH_000038948	CUYAH_000039086
CUYAH_000038792	CUYAH_000038953	CUYAH_000039087
CUYAH_000038808	CUYAH_000038954	CUYAH_000039088
CUYAH_000038810	CUYAH_000038959	CUYAH_000039089
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CUYAH_000038814	CUYAH_000038961	CUYAH_000039099
CUYAH_000038816	CUYAH_000038969	CUYAH_000039102
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CUYAH_000038818	CUYAH_000038979	CUYAH_000039106
CUYAH_000038819	CUYAH_000038981	CUYAH_000039107
CUYAH_000038836	CUYAH_000038984	CUYAH_000039118
CUYAH_000038839	CUYAH_000038985	CUYAH_000039119
CUYAH_000038841	CUYAH_000038991	CUYAH_000039121

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CUYAH_000039122	CUYAH_000039282	CUYAH_000039490
CUYAH_000039123	CUYAH_000039284	CUYAH_000039494
CUYAH_000039131	CUYAH_000039285	CUYAH_000039495
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CUYAH_000039134	CUYAH_000039306	CUYAH_000039498
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CUYAH_000039137	CUYAH_000039316	CUYAH_000039503
CUYAH_000039138	CUYAH_000039317	CUYAH_000039508
CUYAH_000039141	CUYAH_000039318	CUYAH_000039509
CUYAH_000039142	CUYAH_000039319	CUYAH_000039510
CUYAH_000039144	CUYAH_000039321	CUYAH_000039512
CUYAH_000039151	CUYAH_000039323	CUYAH_000039513
CUYAH_000039154	CUYAH_000039327	CUYAH_000039518
CUYAH_000039159	CUYAH_000039337	CUYAH_000039519
CUYAH_000039168	CUYAH_000039338	CUYAH_000039523
CUYAH_000039170	CUYAH_000039340	CUYAH_000039526
CUYAH_000039171	CUYAH_000039342	CUYAH_000039527
CUYAH_000039179	CUYAH_000039343	CUYAH_000039529
CUYAH_000039181	CUYAH_000039344	CUYAH_000039530
CUYAH_000039186	CUYAH_000039345	CUYAH_000039531
CUYAH_000039188	CUYAH_000039346	CUYAH_000039545
CUYAH_000039189	CUYAH_000039351	CUYAH_000039551
CUYAH_000039193	CUYAH_000039353	CUYAH_000039553
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CUYAH_000039203	CUYAH_000039356	CUYAH_000039569
CUYAH_000039204	CUYAH_000039359	CUYAH_000039570
CUYAH_000039209	CUYAH_000039367	CUYAH_000039577
CUYAH_000039210	CUYAH_000039368	CUYAH_000039579
CUYAH_000039219	CUYAH_000039369	CUYAH_000039580
CUYAH_000039221	CUYAH_000039381	CUYAH_000039581
CUYAH_000039222	CUYAH_000039385	CUYAH_000039582
CUYAH_000039223	CUYAH_000039388	CUYAH_000039583
CUYAH_000039235	CUYAH_000039395	CUYAH_000039586
CUYAH_000039236	CUYAH_000039396	CUYAH_000039591
CUYAH_000039237	CUYAH_000039399	CUYAH_000039593
CUYAH_000039244	CUYAH_000039416	CUYAH_000039602
CUYAH_000039245	CUYAH_000039420	CUYAH_000039606
CUYAH_000039246	CUYAH_000039422	CUYAH_000039666
CUYAH_000039247	CUYAH_000039428	CUYAH_000039680
CUYAH_000039248	CUYAH_000039430	CUYAH_000039681
CUYAH_000039251	CUYAH_000039432	CUYAH_000039682
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CUYAH_000039260	CUYAH_000039455	CUYAH_000039687
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CUYAH_000039263	CUYAH_000039460	CUYAH_000039692
CUYAH_000039264	CUYAH_000039464	CUYAH_000039695
CUYAH_000039272	CUYAH_000039470	CUYAH_000039698
CUYAH_000039274	CUYAH_000039471	CUYAH_000039700
CUYAH_000039275	CUYAH_000039472	CUYAH_000039701
CUYAH_000039276	CUYAH_000039477	CUYAH_000039705
CUYAH_000039279	CUYAH_000039481	CUYAH_000039709
CUYAH_000039281	CUYAH_000039485	CUYAH_000039713

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CUYAH_000039714	CUYAH_000039868	CUYAH_000040013
CUYAH_000039715	CUYAH_000039871	CUYAH_000040016
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CUYAH_000039719	CUYAH_000039875	CUYAH_000040036
CUYAH_000039721	CUYAH_000039876	CUYAH_000040037
CUYAH_000039722	CUYAH_000039883	CUYAH_000040038
CUYAH_000039726	CUYAH_000039884	CUYAH_000040039
CUYAH_000039727	CUYAH_000039885	CUYAH_000040040
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CUYAH_000039730	CUYAH_000039895	CUYAH_000040042
CUYAH_000039737	CUYAH_000039896	CUYAH_000040043
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CUYAH_000039756	CUYAH_000039913	CUYAH_000040045
CUYAH_000039757	CUYAH_000039916	CUYAH_000040046
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CUYAH_000039765	CUYAH_000039924	CUYAH_000040048
CUYAH_000039766	CUYAH_000039927	CUYAH_000040049
CUYAH_000039767	CUYAH_000039928	CUYAH_000040050
CUYAH_000039772	CUYAH_000039929	CUYAH_000040051
CUYAH_000039773	CUYAH_000039930	CUYAH_000040054
CUYAH_000039777	CUYAH_000039931	CUYAH_000040056
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CUYAH_000039785	CUYAH_000039934	CUYAH_000040064
CUYAH_000039790	CUYAH_000039935	CUYAH_000040065
CUYAH_000039791	CUYAH_000039936	CUYAH_000040066
CUYAH_000039797	CUYAH_000039937	CUYAH_000040071
CUYAH_000039798	CUYAH_000039938	CUYAH_000040076
CUYAH_000039800	CUYAH_000039939	CUYAH_000040086
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CUYAH_000039847	CUYAH_000039992	CUYAH_000040151
CUYAH_000039852	CUYAH_000039993	CUYAH_000040153
CUYAH_000039855	CUYAH_000040006	CUYAH_000040154
CUYAH_000039857	CUYAH_000040007	CUYAH_000040156
CUYAH_000039861	CUYAH_000040008	CUYAH_000040157
CUYAH_000039867	CUYAH_000040011	CUYAH_000040158

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CUYAH_000040168	CUYAH_000040351	CUYAH_000040565
CUYAH_000040192	CUYAH_000040352	CUYAH_000040575
CUYAH_000040193	CUYAH_000040353	CUYAH_000040576
CUYAH_000040194	CUYAH_000040360	CUYAH_000040577
CUYAH_000040196	CUYAH_000040362	CUYAH_000040579
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CUYAH_000040199	CUYAH_000040366	CUYAH_000040587
CUYAH_000040205	CUYAH_000040372	CUYAH_000040592
CUYAH_000040207	CUYAH_000040373	CUYAH_000040593
CUYAH_000040208	CUYAH_000040375	CUYAH_000040608
CUYAH_000040209	CUYAH_000040378	CUYAH_000040609
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CUYAH_000040215	CUYAH_000040381	CUYAH_000040612
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CUYAH_000040225	CUYAH_000040391	CUYAH_000040678
CUYAH_000040226	CUYAH_000040397	CUYAH_000040680
CUYAH_000040227	CUYAH_000040401	CUYAH_000040682
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CUYAH_000040240	CUYAH_000040432	CUYAH_000040689
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CUYAH_000040242	CUYAH_000040449	CUYAH_000040711
CUYAH_000040244	CUYAH_000040451	CUYAH_000040712
CUYAH_000040245	CUYAH_000040453	CUYAH_000040713
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CUYAH_000040252	CUYAH_000040457	CUYAH_000040716
CUYAH_000040254	CUYAH_000040458	CUYAH_000040722
CUYAH_000040258	CUYAH_000040459	CUYAH_000040729
CUYAH_000040268	CUYAH_000040460	CUYAH_000040731
CUYAH_000040269	CUYAH_000040461	CUYAH_000040733
CUYAH_000040272	CUYAH_000040467	CUYAH_000040742
CUYAH_000040275	CUYAH_000040469	CUYAH_000040744
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CUYAH_000040282	CUYAH_000040474	CUYAH_000040746
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CUYAH_000040318	CUYAH_000040518	CUYAH_000040784
CUYAH_000040319	CUYAH_000040519	CUYAH_000040787
CUYAH_000040320	CUYAH_000040535	CUYAH_000040790

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CUYAH_000040810	CUYAH_000040982	CUYAH_000041200
CUYAH_000040811	CUYAH_000040987	CUYAH_000041201
CUYAH_000040812	CUYAH_000041002	CUYAH_000041207
CUYAH_000040814	CUYAH_000041008	CUYAH_000041212
CUYAH_000040815	CUYAH_000041012	CUYAH_000041218
CUYAH_000040817	CUYAH_000041015	CUYAH_000041219
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CUYAH_000040823	CUYAH_000041019	CUYAH_000041232
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CUYAH_000040828	CUYAH_000041026	CUYAH_000041248
CUYAH_000040839	CUYAH_000041031	CUYAH_000041249
CUYAH_000040843	CUYAH_000041032	CUYAH_000041251
CUYAH_000040851	CUYAH_000041033	CUYAH_000041260
CUYAH_000040854	CUYAH_000041037	CUYAH_000041268
CUYAH_000040856	CUYAH_000041044	CUYAH_000041279
CUYAH_000040858	CUYAH_000041048	CUYAH_000041282
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CUYAH_000040946	CUYAH_000041186	CUYAH_000041427
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CUYAH_000041466	CUYAH_000041820	CUYAH_000042049
CUYAH_000041468	CUYAH_000041822	CUYAH_000042058
CUYAH_000041472	CUYAH_000041824	CUYAH_000042070
CUYAH_000041481	CUYAH_000041827	CUYAH_000042077
CUYAH_000041486	CUYAH_000041831	CUYAH_000042093
CUYAH_000041490	CUYAH_000041836	CUYAH_000042096
CUYAH_000041492	CUYAH_000041838	CUYAH_000042100
CUYAH_000041497	CUYAH_000041850	CUYAH_000042102
CUYAH_000041499	CUYAH_000041858	CUYAH_000042110
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CUYAH_000041506	CUYAH_000041866	CUYAH_000042125
CUYAH_000041511	CUYAH_000041871	CUYAH_000042128
CUYAH_000041513	CUYAH_000041879	CUYAH_000042129
CUYAH_000041520	CUYAH_000041882	CUYAH_000042132
CUYAH_000041524	CUYAH_000041890	CUYAH_000042137
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CUYAH_000041539	CUYAH_000041896	CUYAH_000042148
CUYAH_000041544	CUYAH_000041900	CUYAH_000042161
CUYAH_000041545	CUYAH_000041909	CUYAH_000042162
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CUYAH_000041547	CUYAH_000041917	CUYAH_000042166
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CUYAH_000041662	CUYAH_000042010	CUYAH_000042241
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CUYAH_000041673	CUYAH_000042015	CUYAH_000042245
CUYAH_000041675	CUYAH_000042022	CUYAH_000042248
CUYAH_000041677	CUYAH_000042025	CUYAH_000042256

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CUYAH_000042317	CUYAH_000042555	CUYAH_000042840
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CUYAH_000042480	CUYAH_000042746	CUYAH_000042975
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CUYAH_000042523	CUYAH_000042781	CUYAH_000043014
CUYAH_000042524	CUYAH_000042786	CUYAH_000043016



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CUYAH_000043156	CUYAH_000043398	CUYAH_000043657
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CUYAH_000043166	CUYAH_000043407	CUYAH_000043670
CUYAH_000043167	CUYAH_000043427	CUYAH_000043674
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CUYAH_000043249	CUYAH_000043481	CUYAH_000043711
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CUYAH_000043819	CUYAH_000044011	CUYAH_000044327
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CUYAH_000043881	CUYAH_000044145	CUYAH_000044406
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CUYAH_000043915	CUYAH_000044181	CUYAH_000044442
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CUYAH_000043970	CUYAH_000044210	CUYAH_000044478
CUYAH_000043971	CUYAH_000044223	CUYAH_000044479

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CUYAH_000044571	CUYAH_000044876	CUYAH_000045108
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CUYAH_000044592	CUYAH_000044922	CUYAH_000045168
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CUYAH_000044727	CUYAH_000045038	CUYAH_000045293
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CUYAH_000046942	CUYAH_000047156	CUYAH_000047352
CUYAH_000046947	CUYAH_000047158	CUYAH_000047354
CUYAH_000046949	CUYAH_000047165	CUYAH_000047356
CUYAH_000046952	CUYAH_000047170	CUYAH_000047358
CUYAH_000046955	CUYAH_000047173	CUYAH_000047361
CUYAH_000046961	CUYAH_000047174	CUYAH_000047362
CUYAH_000046968	CUYAH_000047184	CUYAH_000047364



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CUYAH_000047370	CUYAH_000047594	CUYAH_000047928
CUYAH_000047374	CUYAH_000047598	CUYAH_000047931
CUYAH_000047379	CUYAH_000047602	CUYAH_000047934
CUYAH_000047382	CUYAH_000047603	CUYAH_000047941
CUYAH_000047384	CUYAH_000047604	CUYAH_000047946
CUYAH_000047386	CUYAH_000047610	CUYAH_000047948
CUYAH_000047389	CUYAH_000047633	CUYAH_000047950
CUYAH_000047390	CUYAH_000047637	CUYAH_000047952
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CUYAH_000047394	CUYAH_000047657	CUYAH_000047960
CUYAH_000047403	CUYAH_000047659	CUYAH_000047961
CUYAH_000047405	CUYAH_000047660	CUYAH_000047963
CUYAH_000047413	CUYAH_000047665	CUYAH_000047966
CUYAH_000047416	CUYAH_000047668	CUYAH_000047971
CUYAH_000047421	CUYAH_000047670	CUYAH_000047973
CUYAH_000047424	CUYAH_000047672	CUYAH_000047979
CUYAH_000047425	CUYAH_000047681	CUYAH_000047987
CUYAH_000047426	CUYAH_000047693	CUYAH_000047990
CUYAH_000047427	CUYAH_000047694	CUYAH_000047992
CUYAH_000047431	CUYAH_000047695	CUYAH_000047995
CUYAH_000047435	CUYAH_000047697	CUYAH_000047996
CUYAH_000047440	CUYAH_000047699	CUYAH_000047998
CUYAH_000047460	CUYAH_000047704	CUYAH_000048000
CUYAH_000047461	CUYAH_000047707	CUYAH_000048002
CUYAH_000047468	CUYAH_000047709	CUYAH_000048006
CUYAH_000047469	CUYAH_000047714	CUYAH_000048011
CUYAH_000047471	CUYAH_000047718	CUYAH_000048013
CUYAH_000047474	CUYAH_000047721	CUYAH_000048014
CUYAH_000047481	CUYAH_000047722	CUYAH_000048015
CUYAH_000047497	CUYAH_000047724	CUYAH_000048016
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CUYAH_000047514	CUYAH_000047732	CUYAH_000048028
CUYAH_000047515	CUYAH_000047737	CUYAH_000048029
CUYAH_000047518	CUYAH_000047743	CUYAH_000048031
CUYAH_000047522	CUYAH_000047758	CUYAH_000048035
CUYAH_000047535	CUYAH_000047770	CUYAH_000048036
CUYAH_000047537	CUYAH_000047773	CUYAH_000048038
CUYAH_000047539	CUYAH_000047780	CUYAH_000048039
CUYAH_000047543	CUYAH_000047783	CUYAH_000048043
CUYAH_000047546	CUYAH_000047796	CUYAH_000048048
CUYAH_000047549	CUYAH_000047816	CUYAH_000048053
CUYAH_000047552	CUYAH_000047835	CUYAH_000048055
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CUYAH_000047578	CUYAH_000047867	CUYAH_000048083
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CUYAH_000047584	CUYAH_000047924	CUYAH_000048090
CUYAH_000047586	CUYAH_000047926	CUYAH_000048095

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CUYAH_000048097	CUYAH_000048295	CUYAH_000048514
CUYAH_000048101	CUYAH_000048297	CUYAH_000048519
CUYAH_000048106	CUYAH_000048299	CUYAH_000048522
CUYAH_000048107	CUYAH_000048302	CUYAH_000048528
CUYAH_000048124	CUYAH_000048306	CUYAH_000048531
CUYAH_000048129	CUYAH_000048316	CUYAH_000048535
CUYAH_000048131	CUYAH_000048322	CUYAH_000048541
CUYAH_000048133	CUYAH_000048323	CUYAH_000048542
CUYAH_000048139	CUYAH_000048325	CUYAH_000048543
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CUYAH_000048144	CUYAH_000048347	CUYAH_000048547
CUYAH_000048150	CUYAH_000048348	CUYAH_000048552
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CUYAH_000048157	CUYAH_000048352	CUYAH_000048560
CUYAH_000048164	CUYAH_000048354	CUYAH_000048564
CUYAH_000048166	CUYAH_000048358	CUYAH_000048566
CUYAH_000048167	CUYAH_000048361	CUYAH_000048567
CUYAH_000048170	CUYAH_000048369	CUYAH_000048571
CUYAH_000048171	CUYAH_000048379	CUYAH_000048572
CUYAH_000048172	CUYAH_000048380	CUYAH_000048574
CUYAH_000048180	CUYAH_000048381	CUYAH_000048575
CUYAH_000048190	CUYAH_000048384	CUYAH_000048581
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CUYAH_000048202	CUYAH_000048412	CUYAH_000048601
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CUYAH_000048213	CUYAH_000048433	CUYAH_000048620
CUYAH_000048215	CUYAH_000048435	CUYAH_000048625
CUYAH_000048224	CUYAH_000048437	CUYAH_000048627
CUYAH_000048226	CUYAH_000048439	CUYAH_000048640
CUYAH_000048234	CUYAH_000048449	CUYAH_000048650
CUYAH_000048237	CUYAH_000048460	CUYAH_000048663
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CUYAH_000048243	CUYAH_000048476	CUYAH_000048675
CUYAH_000048245	CUYAH_000048477	CUYAH_000048677
CUYAH_000048247	CUYAH_000048478	CUYAH_000048679
CUYAH_000048249	CUYAH_000048481	CUYAH_000048682
CUYAH_000048254	CUYAH_000048482	CUYAH_000048684
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CUYAH_000048284	CUYAH_000048504	CUYAH_000048705
CUYAH_000048286	CUYAH_000048505	CUYAH_000048707
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CUYAH_000048291	CUYAH_000048512	CUYAH_000048727
CUYAH_000048293	CUYAH_000048513	CUYAH_000048728



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CUYAH_000048762	CUYAH_000048966	CUYAH_000049141
CUYAH_000048765	CUYAH_000048969	CUYAH_000049142
CUYAH_000048767	CUYAH_000048974	CUYAH_000049146
CUYAH_000048769	CUYAH_000048976	CUYAH_000049147
CUYAH_000048775	CUYAH_000048978	CUYAH_000049151
CUYAH_000048776	CUYAH_000048981	CUYAH_000049153
CUYAH_000048781	CUYAH_000048985	CUYAH_000049156
CUYAH_000048784	CUYAH_000048991	CUYAH_000049164
CUYAH_000048789	CUYAH_000048993	CUYAH_000049165
CUYAH_000048791	CUYAH_000048997	CUYAH_000049167
CUYAH_000048797	CUYAH_000048999	CUYAH_000049169
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CUYAH_000048803	CUYAH_000049003	CUYAH_000049174
CUYAH_000048805	CUYAH_000049005	CUYAH_000049183
CUYAH_000048807	CUYAH_000049007	CUYAH_000049189
CUYAH_000048808	CUYAH_000049009	CUYAH_000049191
CUYAH_000048814	CUYAH_000049011	CUYAH_000049193
CUYAH_000048817	CUYAH_000049018	CUYAH_000049198
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CUYAH_000048823	CUYAH_000049031	CUYAH_000049203
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CUYAH_000048851	CUYAH_000049043	CUYAH_000049224
CUYAH_000048852	CUYAH_000049049	CUYAH_000049230
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CUYAH_000048905	CUYAH_000049088	CUYAH_000049273
CUYAH_000048907	CUYAH_000049092	CUYAH_000049275
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CUYAH_000048923	CUYAH_000049105	CUYAH_000049283
CUYAH_000048924	CUYAH_000049111	CUYAH_000049284
CUYAH_000048925	CUYAH_000049117	CUYAH_000049285
CUYAH_000048938	CUYAH_000049119	CUYAH_000049286
CUYAH_000048942	CUYAH_000049120	CUYAH_000049294

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CUYAH_000049318	CUYAH_000049506	CUYAH_000049666
CUYAH_000049322	CUYAH_000049507	CUYAH_000049667
CUYAH_000049329	CUYAH_000049511	CUYAH_000049672
CUYAH_000049334	CUYAH_000049515	CUYAH_000049673
CUYAH_000049339	CUYAH_000049517	CUYAH_000049675
CUYAH_000049343	CUYAH_000049523	CUYAH_000049680
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CUYAH_000049358	CUYAH_000049537	CUYAH_000049697
CUYAH_000049363	CUYAH_000049538	CUYAH_000049700
CUYAH_000049364	CUYAH_000049539	CUYAH_000049702
CUYAH_000049377	CUYAH_000049542	CUYAH_000049703
CUYAH_000049383	CUYAH_000049544	CUYAH_000049707
CUYAH_000049384	CUYAH_000049547	CUYAH_000049708
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CUYAH_000049427	CUYAH_000049585	CUYAH_000049756
CUYAH_000049437	CUYAH_000049587	CUYAH_000049758
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CUYAH_000049440	CUYAH_000049591	CUYAH_000049763
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CUYAH_000049492	CUYAH_000049646	CUYAH_000049835
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CUYAH_000050016	CUYAH_000050183	CUYAH_000050409
CUYAH_000050017	CUYAH_000050188	CUYAH_000050420

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CUYAH_000050601	CUYAH_000051047	CUYAH_000051273

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CUYAH_000051536	CUYAH_000051708	CUYAH_000051943
CUYAH_000051542	CUYAH_000051715	CUYAH_000051944
CUYAH_000051543	CUYAH_000051717	CUYAH_000051945
CUYAH_000051544	CUYAH_000051718	CUYAH_000051947

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CUYAH_000051972	CUYAH_000052143	CUYAH_000052335
CUYAH_000051974	CUYAH_000052144	CUYAH_000052339
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CUYAH_000051977	CUYAH_000052146	CUYAH_000052350
CUYAH_000051982	CUYAH_000052147	CUYAH_000052351
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CUYAH_000052004	CUYAH_000052154	CUYAH_000052373
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CUYAH_000052100	CUYAH_000052305	CUYAH_000052503



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CUYAH_000052634	CUYAH_000052775	CUYAH_000052941
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CUYAH_000052696	CUYAH_000052863	CUYAH_000053034

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**HIGHLY CONFIDENTIAL****Appendix 2**

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CUYAH_000054439	CUYAH_000054600	CUYAH_000054847
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**HIGHLY CONFIDENTIAL****Appendix 2**

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CUYAH_009021694	CUYAH_009022834	CUYAH_009024253
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CUYAH_009021731	CUYAH_009022869	CUYAH_009024303
CUYAH_009021739	CUYAH_009022898	CUYAH_009024327

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CUYAH_009024354	CUYAH_009025749	CUYAH_009027145
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CUYAH_009025638	CUYAH_009027060	CUYAH_009028331
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CUYAH_009028538	CUYAH_009029836	CUYAH_009031112
CUYAH_009028566	CUYAH_009029863	CUYAH_009031140
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CUYAH_009029647	CUYAH_009030938	CUYAH_009032201
CUYAH_009029672	CUYAH_009030952	CUYAH_009032226

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CUYAH_009033544	CUYAH_009034728	CUYAH_009035885



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CUYAH_009037188	CUYAH_009038590	CUYAH_009039695
CUYAH_009037218	CUYAH_009038598	CUYAH_009039723



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CUYAH_016503361	ODPS-002-0000005	OH-HIDTA_001445
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CUYAH_016503365	OH-HIDTA_000029	OH-HIDTA_001551
CUYAH_016503367	OH-HIDTA_000139	OH-HIDTA_001568
CUYAH_016503368	OH-HIDTA_000144	OH-HIDTA_001605
CUYAH_016503369	OH-HIDTA_000146	OH-HIDTA_001609

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OH-HIDTA_001640	OH-HIDTA_002613	OH-HIDTA_003276
OH-HIDTA_001670	OH-HIDTA_002621	OH-HIDTA_003280
OH-HIDTA_001671	OH-HIDTA_002635	OH-HIDTA_003284
OH-HIDTA_001700	OH-HIDTA_002647	OH-HIDTA_003297
OH-HIDTA_001732	OH-HIDTA_002648	OH-HIDTA_003301
OH-HIDTA_001768	OH-HIDTA_002665	OH-HIDTA_003302
OH-HIDTA_001777	OH-HIDTA_002684	OH-HIDTA_003304
OH-HIDTA_001778	OH-HIDTA_002686	OH-HIDTA_003314
OH-HIDTA_001788	OH-HIDTA_002691	OH-HIDTA_003318
OH-HIDTA_001820	OH-HIDTA_002692	OH-HIDTA_003340
OH-HIDTA_001821	OH-HIDTA_002697	OH-HIDTA_003344
OH-HIDTA_001828	OH-HIDTA_002712	OH-HIDTA_003345
OH-HIDTA_001861	OH-HIDTA_002726	OH-HIDTA_003347
OH-HIDTA_001873	OH-HIDTA_002740	OH-HIDTA_003358
OH-HIDTA_001894	OH-HIDTA_002741	OH-HIDTA_003369
OH-HIDTA_001924	OH-HIDTA_002753	OH-HIDTA_003407
OH-HIDTA_001931	OH-HIDTA_002776	OH-HIDTA_003455
OH-HIDTA_001945	OH-HIDTA_002793	OH-HIDTA_003474
OH-HIDTA_001981	OH-HIDTA_002810	OH-HIDTA_003501
OH-HIDTA_001995	OH-HIDTA_002811	OH-HIDTA_003558
OH-HIDTA_002000	OH-HIDTA_002812	OH-HIDTA_003617
OH-HIDTA_002034	OH-HIDTA_002839	OH-HIDTA_003656
OH-HIDTA_002067	OH-HIDTA_002840	OH-HIDTA_003672
OH-HIDTA_002103	OH-HIDTA_002860	OH-HIDTA_003673
OH-HIDTA_002107	OH-HIDTA_002861	OH-HIDTA_003674
OH-HIDTA_002114	OH-HIDTA_002863	OH-HIDTA_003675
OH-HIDTA_002147	OH-HIDTA_002909	OH-HIDTA_003677
OH-HIDTA_002148	OH-HIDTA_002961	OH-HIDTA_003680
OH-HIDTA_002149	OH-HIDTA_003019	OH-HIDTA_003689
OH-HIDTA_002150	OH-HIDTA_003085	OH-HIDTA_003692
OH-HIDTA_002151	OH-HIDTA_003157	OH-HIDTA_003703
OH-HIDTA_002152	OH-HIDTA_003246	OH-HIDTA_003707
OH-HIDTA_002153	OH-HIDTA_003247	OH-HIDTA_003728
OH-HIDTA_002154	OH-HIDTA_003248	OH-HIDTA_003737
OH-HIDTA_002167	OH-HIDTA_003249	OH-HIDTA_003747
OH-HIDTA_002234	OH-HIDTA_003250	OH-HIDTA_003760
OH-HIDTA_002235	OH-HIDTA_003251	OH-HIDTA_003782
OH-HIDTA_002236	OH-HIDTA_003252	OH-HIDTA_003794
OH-HIDTA_002281	OH-HIDTA_003253	OH-HIDTA_003806
OH-HIDTA_002282	OH-HIDTA_003254	OH-HIDTA_003816
OH-HIDTA_002425	OH-HIDTA_003255	OH-HIDTA_003831
OH-HIDTA_002426	OH-HIDTA_003256	OH-HIDTA_003832
OH-HIDTA_002430	OH-HIDTA_003257	OH-HIDTA_003833
OH-HIDTA_002432	OH-HIDTA_003258	OH-HIDTA_003842
OH-HIDTA_002435	OH-HIDTA_003259	OH-HIDTA_003851
OH-HIDTA_002437	OH-HIDTA_003260	OH-HIDTA_003860
OH-HIDTA_002531	OH-HIDTA_003261	OH-HIDTA_003862
OH-HIDTA_002537	OH-HIDTA_003262	OH-HIDTA_003863
OH-HIDTA_002579	OH-HIDTA_003263	OH-HIDTA_003961
OH-HIDTA_002582	OH-HIDTA_003267	OH-HIDTA_003994
OH-HIDTA_002600	OH-HIDTA_003271	OH-HIDTA_004006
OH-HIDTA_002603	OH-HIDTA_003273	OH-HIDTA_004007

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OH-HIDTA_004020	OH-HIDTA_004355	OhioMHAS_2804-
OH-HIDTA_004021	OH-HIDTA_004520	00000007
OH-HIDTA_004022	OH-HIDTA_004599	OhioMHAS_2804-
OH-HIDTA_004023	OH-HIDTA_004937	00000008
OH-HIDTA_004024	OH-HIDTA_004938	OhioMHAS_2804-
OH-HIDTA_004144	OH-HIDTA_004939	00000026
OH-HIDTA_004148	OH-HIDTA_005317	OhioMHAS_2804-
OH-HIDTA_004149	OH-HIDTA_005318	00000045
OH-HIDTA_004151	OH-HIDTA_005319	OhioMHAS_2804-
OH-HIDTA_004153	OH-HIDTA_005320	00000046
OH-HIDTA_004155	OH-HIDTA_005323	OhioMHAS_2804-
OH-HIDTA_004157	OH-HIDTA_005326	00000047
OH-HIDTA_004164	OH-HIDTA_005378	OhioMHAS_2804-
OH-HIDTA_004178	OH-HIDTA_005512	00000048
OH-HIDTA_004192	OH-HIDTA_005513	OhioMHAS_2804-
OH-HIDTA_004204	OH-HIDTA_005514	00000049
OH-HIDTA_004212	OH-HIDTA_005515	OhioMHAS_2804-
OH-HIDTA_004213	OH-HIDTA_005516	00000050
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OH-HIDTA_004215	OH-HIDTA_005518	00000051
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OH-HIDTA_004217	OH-HIDTA_005520	00000052
OH-HIDTA_004218	OH-HIDTA_005521	OhioMHAS_2804-
OH-HIDTA_004227	OH-HIDTA_005522	00000070
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OH-HIDTA_004246	OH-HIDTA_005524	SUMMIT_000001329
OH-HIDTA_004276	OH-HIDTA_005525	SUMMIT_000001461
OH-HIDTA_004278	OH-HIDTA_005526	SUMMIT_000001605
OH-HIDTA_004281	OH-HIDTA_005527	SUMMIT_000002310
OH-HIDTA_004282	OH-HIDTA_005556	SUMMIT_000004345
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OH-HIDTA_004305	OhioDOPS_00001711	SUMMIT_000004347
OH-HIDTA_004307	OhioDOPS_00001718	SUMMIT_000004348
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OH-HIDTA_004311	OhioDOPS_00001722	SUMMIT_000004350
OH-HIDTA_004314	OhioDOPS_00001723	SUMMIT_000004351
OH-HIDTA_004315	OhioDOPS_00001724	SUMMIT_000004352
OH-HIDTA_004319	OhioDOPS_00001725	SUMMIT_000004353
OH-HIDTA_004320	OhioDOPS_00001726	SUMMIT_000004509
OH-HIDTA_004322	OhioDOPS_00001727	SUMMIT_000005545
OH-HIDTA_004323	OhioMHAS_2804-	SUMMIT_000006502
OH-HIDTA_004327	00000001	SUMMIT_000009343
OH-HIDTA_004329	OhioMHAS_2804-	SUMMIT_000009487
OH-HIDTA_004335	00000002	SUMMIT_000009742
OH-HIDTA_004337	OhioMHAS_2804-	SUMMIT_000010324
OH-HIDTA_004338	00000003	SUMMIT_000010936
OH-HIDTA_004339	OhioMHAS_2804-	SUMMIT_000011824
OH-HIDTA_004346	00000004	SUMMIT_000012888
OH-HIDTA_004349	OhioMHAS_2804-	SUMMIT_000012894
OH-HIDTA_004350	00000005	SUMMIT_000012901
OH-HIDTA_004351	OhioMHAS_2804-	SUMMIT_000012907
OH-HIDTA_004353	00000006	SUMMIT_000012912

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SUMMIT_000012943	SUMMIT_000023910	SUMMIT_000036553
SUMMIT_000012948	SUMMIT_000023927	SUMMIT_000037079
SUMMIT_000012954	SUMMIT_000023928	SUMMIT_000037323
SUMMIT_000012978	SUMMIT_000024153	SUMMIT_000037336
SUMMIT_000013002	SUMMIT_000024194	SUMMIT_000037338
SUMMIT_000013022	SUMMIT_000024200	SUMMIT_000038070
SUMMIT_000013026	SUMMIT_000024207	SUMMIT_000038071
SUMMIT_000013055	SUMMIT_000024208	SUMMIT_000038167
SUMMIT_000013061	SUMMIT_000024214	SUMMIT_000038170
SUMMIT_000013075	SUMMIT_000024523	SUMMIT_000038171
SUMMIT_000013081	SUMMIT_000024580	SUMMIT_000038290
SUMMIT_000013087	SUMMIT_000024604	SUMMIT_000039786
SUMMIT_000013095	SUMMIT_000024608	SUMMIT_000042985
SUMMIT_000013115	SUMMIT_000024709	SUMMIT_000043050
SUMMIT_000013123	SUMMIT_000024711	SUMMIT_000043099
SUMMIT_000013128	SUMMIT_000024712	SUMMIT_000043100
SUMMIT_000013135	SUMMIT_000024713	SUMMIT_000043108
SUMMIT_000013142	SUMMIT_000024738	SUMMIT_000043109
SUMMIT_000013416	SUMMIT_000024741	SUMMIT_000045830
SUMMIT_000013440	SUMMIT_000024742	SUMMIT_000046309
SUMMIT_000013551	SUMMIT_000024792	SUMMIT_000046407
SUMMIT_000013575	SUMMIT_000024874	SUMMIT_000046427
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SUMMIT_000019856	SUMMIT_000030013	SUMMIT_000068682
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SUMMIT_000019858	SUMMIT_000031143	SUMMIT_000068886
SUMMIT_000020013	SUMMIT_000031180	SUMMIT_000069011
SUMMIT_000023268	SUMMIT_000035729	SUMMIT_000069085



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SUMMIT_000069105	SUMMIT_000085399	SUMMIT_000099822
SUMMIT_000069115	SUMMIT_000087427	SUMMIT_000099829
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SUMMIT_000070487	SUMMIT_000088323	SUMMIT_000099844
SUMMIT_000070607	SUMMIT_000089238	SUMMIT_000099873
SUMMIT_000071392	SUMMIT_000091114	SUMMIT_000099885
SUMMIT_000071434	SUMMIT_000091280	SUMMIT_000099892
SUMMIT_000071983	SUMMIT_000091295	SUMMIT_000099897
SUMMIT_000072131	SUMMIT_000092931	SUMMIT_000099909
SUMMIT_000072548	SUMMIT_000093048	SUMMIT_000099921
SUMMIT_000072615	SUMMIT_000093053	SUMMIT_000101744
SUMMIT_000072619	SUMMIT_000093066	SUMMIT_000102626
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SUMMIT_000074111	SUMMIT_000093213	SUMMIT_000102817
SUMMIT_000075299	SUMMIT_000093285	SUMMIT_000102818
SUMMIT_000078467	SUMMIT_000093300	SUMMIT_000105113
SUMMIT_000078553	SUMMIT_000093393	SUMMIT_000105180
SUMMIT_000078616	SUMMIT_000093420	SUMMIT_000105844
SUMMIT_000078669	SUMMIT_000093612	SUMMIT_000105908
SUMMIT_000078828	SUMMIT_000093644	SUMMIT_000106406
SUMMIT_000078946	SUMMIT_000093690	SUMMIT_000106565
SUMMIT_000078962	SUMMIT_000093731	SUMMIT_000106579
SUMMIT_000079020	SUMMIT_000093736	SUMMIT_000106903
SUMMIT_000079068	SUMMIT_000093822	SUMMIT_000106925
SUMMIT_000080044	SUMMIT_000093938	SUMMIT_000107023
SUMMIT_000080224	SUMMIT_000093967	SUMMIT_000107039
SUMMIT_000080444	SUMMIT_000094007	SUMMIT_000107718
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SUMMIT_000085395	SUMMIT_000099776	SUMMIT_000109167



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SUMMIT_000115582	SUMMIT_000141482	SUMMIT_000225909
SUMMIT_000115602	SUMMIT_000141671	SUMMIT_000226224

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SUMMIT_000255667	SUMMIT_000290137	SUMMIT_000313191
SUMMIT_000255771	SUMMIT_000290138	SUMMIT_000315292

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SUMMIT_001115216	SUMMIT_001147387	SUMMIT_001157372
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SUMMIT_001202909	SUMMIT_001222969	SUMMIT_001246058

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SUMMIT_001246444	SUMMIT_001259187	SUMMIT_001296788
SUMMIT_001247156	SUMMIT_001259225	SUMMIT_001297382
SUMMIT_001247454	SUMMIT_001259464	SUMMIT_001304839
SUMMIT_001247481	SUMMIT_001259673	SUMMIT_001305260
SUMMIT_001247502	SUMMIT_001259975	SUMMIT_001305302
SUMMIT_001247639	SUMMIT_001261960	SUMMIT_001305354
SUMMIT_001247661	SUMMIT_001263020	SUMMIT_001306428
SUMMIT_001247873	SUMMIT_001263408	SUMMIT_001307236
SUMMIT_001248049	SUMMIT_001263612	SUMMIT_001307355
SUMMIT_001248245	SUMMIT_001264123	SUMMIT_001307581
SUMMIT_001248444	SUMMIT_001267884	SUMMIT_001308651
SUMMIT_001248874	SUMMIT_001267890	SUMMIT_001308769
SUMMIT_001249111	SUMMIT_001267896	SUMMIT_001308898
SUMMIT_001249395	SUMMIT_001267901	SUMMIT_001309234
SUMMIT_001249710	SUMMIT_001268686	SUMMIT_001309456
SUMMIT_001249737	SUMMIT_001268692	SUMMIT_001309562
SUMMIT_001249818	SUMMIT_001270020	SUMMIT_001309588
SUMMIT_001250119	SUMMIT_001270106	SUMMIT_001309978
SUMMIT_001250271	SUMMIT_001270196	SUMMIT_001310891
SUMMIT_001250364	SUMMIT_001272626	SUMMIT_001311248
SUMMIT_001251647	SUMMIT_001272882	SUMMIT_001311462
SUMMIT_001251710	SUMMIT_001273519	SUMMIT_001311470
SUMMIT_001251785	SUMMIT_001274273	SUMMIT_001313259
SUMMIT_001251893	SUMMIT_001274485	SUMMIT_001313324
SUMMIT_001251981	SUMMIT_001275334	SUMMIT_001313448
SUMMIT_001252032	SUMMIT_001277241	SUMMIT_001313456
SUMMIT_001252072	SUMMIT_001277795	SUMMIT_001313477
SUMMIT_001252081	SUMMIT_001278605	SUMMIT_001313492
SUMMIT_001252385	SUMMIT_001280207	SUMMIT_001313507
SUMMIT_001252576	SUMMIT_001280276	SUMMIT_001314182
SUMMIT_001252933	SUMMIT_001281101	SUMMIT_001314245
SUMMIT_001253125	SUMMIT_001281280	SUMMIT_001314914
SUMMIT_001253908	SUMMIT_001281282	SUMMIT_001315156
SUMMIT_001254033	SUMMIT_001281293	SUMMIT_001316689
SUMMIT_001254122	SUMMIT_001281311	SUMMIT_001317289
SUMMIT_001254637	SUMMIT_001281367	SUMMIT_001318233
SUMMIT_001254797	SUMMIT_001281437	SUMMIT_001318752
SUMMIT_001254904	SUMMIT_001281439	SUMMIT_001319820
SUMMIT_001255032	SUMMIT_001281522	SUMMIT_001320114
SUMMIT_001255065	SUMMIT_001281971	SUMMIT_001320394
SUMMIT_001255080	SUMMIT_001282233	SUMMIT_001321121
SUMMIT_001255604	SUMMIT_001282875	SUMMIT_001321557
SUMMIT_001255910	SUMMIT_001283000	SUMMIT_001321949
SUMMIT_001256258	SUMMIT_001287291	SUMMIT_001322638
SUMMIT_001256325	SUMMIT_001291998	SUMMIT_001323377
SUMMIT_001256382	SUMMIT_001292264	SUMMIT_001323880
SUMMIT_001257230	SUMMIT_001293078	SUMMIT_001324005
SUMMIT_001257246	SUMMIT_001293282	SUMMIT_001324242
SUMMIT_001257372	SUMMIT_001293527	SUMMIT_001324403
SUMMIT_001257701	SUMMIT_001293694	SUMMIT_001324821
SUMMIT_001258275	SUMMIT_001294468	SUMMIT_001324847
SUMMIT_001258934	SUMMIT_001296521	SUMMIT_001325039

**HIGHLY CONFIDENTIAL****Appendix 2**

SUMMIT_001326414	SUMMIT_001364428	SUMMIT_001390902
SUMMIT_001326830	SUMMIT_001367149	SUMMIT_001390941
SUMMIT_001328088	SUMMIT_001368911	SUMMIT_001391006
SUMMIT_001330395	SUMMIT_001370509	SUMMIT_001391015
SUMMIT_001330752	SUMMIT_001371129	SUMMIT_001391021
SUMMIT_001330757	SUMMIT_001373503	SUMMIT_001391843
SUMMIT_001331312	SUMMIT_001373883	SUMMIT_001391886
SUMMIT_001331475	SUMMIT_001373927	SUMMIT_001391887
SUMMIT_001331562	SUMMIT_001375166	SUMMIT_001392177
SUMMIT_001331825	SUMMIT_001375221	SUMMIT_001392556
SUMMIT_001331836	SUMMIT_001375959	SUMMIT_001392973
SUMMIT_001331898	SUMMIT_001376377	SUMMIT_001396003
SUMMIT_001333637	SUMMIT_001376443	SUMMIT_001396019
SUMMIT_001334208	SUMMIT_001376520	SUMMIT_001396028
SUMMIT_001334243	SUMMIT_001377089	SUMMIT_001396062
SUMMIT_001334290	SUMMIT_001377199	SUMMIT_001396071
SUMMIT_001336894	SUMMIT_001377325	SUMMIT_001396081
SUMMIT_001337375	SUMMIT_001377363	SUMMIT_001396121
SUMMIT_001337404	SUMMIT_001377464	SUMMIT_001396265
SUMMIT_001338186	SUMMIT_001377714	SUMMIT_001397134
SUMMIT_001338559	SUMMIT_001377786	SUMMIT_001398405
SUMMIT_001338697	SUMMIT_001377804	SUMMIT_001398624
SUMMIT_001342682	SUMMIT_001379095	SUMMIT_001398705
SUMMIT_001343981	SUMMIT_001379988	SUMMIT_001399030
SUMMIT_001344276	SUMMIT_001381191	SUMMIT_001399213
SUMMIT_001346350	SUMMIT_001382018	SUMMIT_001399477
SUMMIT_001350128	SUMMIT_001382080	SUMMIT_001402082
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SUMMIT_001350369	SUMMIT_001382630	SUMMIT_001405307
SUMMIT_001351096	SUMMIT_001383149	SUMMIT_001405445
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SUMMIT_001351594	SUMMIT_001384150	SUMMIT_001411691
SUMMIT_001351654	SUMMIT_001384652	SUMMIT_001411709
SUMMIT_001352681	SUMMIT_001385229	SUMMIT_001412153
SUMMIT_001352795	SUMMIT_001385873	SUMMIT_001412970
SUMMIT_001353084	SUMMIT_001387059	SUMMIT_001413678
SUMMIT_001353181	SUMMIT_001387097	SUMMIT_001413719
SUMMIT_001353807	SUMMIT_001387169	SUMMIT_001413947
SUMMIT_001354066	SUMMIT_001387186	SUMMIT_001414097
SUMMIT_001354960	SUMMIT_001387262	SUMMIT_001414223
SUMMIT_001355035	SUMMIT_001387372	SUMMIT_001414362
SUMMIT_001355749	SUMMIT_001387697	SUMMIT_001416799
SUMMIT_001356519	SUMMIT_001388500	SUMMIT_001417881
SUMMIT_001357268	SUMMIT_001388826	SUMMIT_001420105
SUMMIT_001357748	SUMMIT_001389166	SUMMIT_001420279
SUMMIT_001359293	SUMMIT_001389371	SUMMIT_001420532
SUMMIT_001359504	SUMMIT_001389524	SUMMIT_001421870
SUMMIT_001359713	SUMMIT_001390205	SUMMIT_001422812
SUMMIT_001362434	SUMMIT_001390307	SUMMIT_001423443
SUMMIT_001363287	SUMMIT_001390604	SUMMIT_001423752
SUMMIT_001364341	SUMMIT_001390854	SUMMIT_001423802

**HIGHLY CONFIDENTIAL****Appendix 2**

SUMMIT_001424678	SUMMIT_001517368	SUMMIT_001517909
SUMMIT_001426187	SUMMIT_001517376	SUMMIT_001517910
SUMMIT_001428489	SUMMIT_001517384	SUMMIT_001517911
SUMMIT_001430696	SUMMIT_001517695	SUMMIT_001517912
SUMMIT_001430837	SUMMIT_001517698	SUMMIT_001517913
SUMMIT_001431075	SUMMIT_001517702	SUMMIT_001517914
SUMMIT_001432084	SUMMIT_001517705	SUMMIT_001517915
SUMMIT_001434782	SUMMIT_001517707	SUMMIT_001517916
SUMMIT_001443862	SUMMIT_001517710	SUMMIT_001517917
SUMMIT_001445488	SUMMIT_001517713	SUMMIT_001517918
SUMMIT_001446376	SUMMIT_001517716	SUMMIT_001517919
SUMMIT_001447361	SUMMIT_001517720	SUMMIT_001517920
SUMMIT_001447373	SUMMIT_001517723	SUMMIT_001517922
SUMMIT_001447377	SUMMIT_001517729	SUMMIT_001517926
SUMMIT_001447382	SUMMIT_001517735	SUMMIT_001517930
SUMMIT_001448736	SUMMIT_001517738	SUMMIT_001517932
SUMMIT_001448872	SUMMIT_001517742	SUMMIT_001517942
SUMMIT_001450550	SUMMIT_001517748	SUMMIT_001517952
SUMMIT_001450551	SUMMIT_001517756	SUMMIT_001517956
SUMMIT_001451059	SUMMIT_001517760	SUMMIT_001517967
SUMMIT_001451487	SUMMIT_001517770	SUMMIT_001517968
SUMMIT_001451581	SUMMIT_001517774	SUMMIT_001517975
SUMMIT_001460424	SUMMIT_001517778	SUMMIT_001517980
SUMMIT_001462721	SUMMIT_001517782	SUMMIT_001517981
SUMMIT_001462722	SUMMIT_001517784	SUMMIT_001517985
SUMMIT_001462723	SUMMIT_001517788	SUMMIT_001517989
SUMMIT_001462724	SUMMIT_001517790	SUMMIT_001517992
SUMMIT_001462725	SUMMIT_001517792	SUMMIT_001518004
SUMMIT_001462726	SUMMIT_001517795	SUMMIT_001518005
SUMMIT_001462727	SUMMIT_001517799	SUMMIT_001518007
SUMMIT_001462728	SUMMIT_001517801	SUMMIT_001518017
SUMMIT_001462729	SUMMIT_001517803	SUMMIT_001518018
SUMMIT_001462730	SUMMIT_001517809	SUMMIT_001518025
SUMMIT_001462731	SUMMIT_001517811	SUMMIT_001518027
SUMMIT_001462732	SUMMIT_001517816	SUMMIT_001518029
SUMMIT_001462733	SUMMIT_001517819	SUMMIT_001518032
SUMMIT_001462831	SUMMIT_001517844	SUMMIT_001518034
SUMMIT_001462832	SUMMIT_001517847	SUMMIT_001518038
SUMMIT_001462833	SUMMIT_001517852	SUMMIT_001518062
SUMMIT_001462926	SUMMIT_001517857	SUMMIT_001518063
SUMMIT_001463636	SUMMIT_001517861	SUMMIT_001518070
SUMMIT_001472861	SUMMIT_001517865	SUMMIT_001518074
SUMMIT_001473052	SUMMIT_001517866	SUMMIT_001518077
SUMMIT_001473416	SUMMIT_001517872	SUMMIT_001518080
SUMMIT_001505077	SUMMIT_001517874	SUMMIT_001518081
SUMMIT_001505957	SUMMIT_001517878	SUMMIT_001518107
SUMMIT_001505981	SUMMIT_001517882	SUMMIT_001518109
SUMMIT_001506108	SUMMIT_001517884	SUMMIT_001518111
SUMMIT_001506146	SUMMIT_001517888	SUMMIT_001518118
SUMMIT_001506554	SUMMIT_001517890	SUMMIT_001518122
SUMMIT_001517361	SUMMIT_001517898	SUMMIT_001518126
SUMMIT_001517366	SUMMIT_001517901	SUMMIT_001518128



**HIGHLY CONFIDENTIAL****Appendix 2**

SUMMIT_001518132	SUMMIT_001518403	SUMMIT_001518583
SUMMIT_001518135	SUMMIT_001518406	SUMMIT_001518594
SUMMIT_001518137	SUMMIT_001518408	SUMMIT_001518605
SUMMIT_001518139	SUMMIT_001518409	SUMMIT_001518609
SUMMIT_001518144	SUMMIT_001518410	SUMMIT_001518613
SUMMIT_001518145	SUMMIT_001518412	SUMMIT_001518615
SUMMIT_001518147	SUMMIT_001518414	SUMMIT_001518616
SUMMIT_001518149	SUMMIT_001518421	SUMMIT_001518623
SUMMIT_001518154	SUMMIT_001518423	SUMMIT_001518625
SUMMIT_001518155	SUMMIT_001518425	SUMMIT_001518634
SUMMIT_001518156	SUMMIT_001518427	SUMMIT_001518636
SUMMIT_001518160	SUMMIT_001518431	SUMMIT_001518638
SUMMIT_001518161	SUMMIT_001518433	SUMMIT_001518642
SUMMIT_001518162	SUMMIT_001518440	SUMMIT_001518645
SUMMIT_001518164	SUMMIT_001518444	SUMMIT_001518647
SUMMIT_001518174	SUMMIT_001518446	SUMMIT_001518668
SUMMIT_001518183	SUMMIT_001518452	SUMMIT_001518671
SUMMIT_001518194	SUMMIT_001518453	SUMMIT_001518683
SUMMIT_001518196	SUMMIT_001518456	SUMMIT_001518687
SUMMIT_001518204	SUMMIT_001518461	SUMMIT_001518689
SUMMIT_001518206	SUMMIT_001518466	SUMMIT_001518700
SUMMIT_001518210	SUMMIT_001518471	SUMMIT_001518701
SUMMIT_001518212	SUMMIT_001518473	SUMMIT_001518704
SUMMIT_001518214	SUMMIT_001518477	SUMMIT_001518705
SUMMIT_001518218	SUMMIT_001518479	SUMMIT_001518726
SUMMIT_001518222	SUMMIT_001518480	SUMMIT_001518730
SUMMIT_001518226	SUMMIT_001518484	SUMMIT_001518752
SUMMIT_001518227	SUMMIT_001518488	SUMMIT_001518755
SUMMIT_001518229	SUMMIT_001518491	SUMMIT_001518758
SUMMIT_001518252	SUMMIT_001518492	SUMMIT_001518760
SUMMIT_001518256	SUMMIT_001518494	SUMMIT_001518762
SUMMIT_001518270	SUMMIT_001518496	SUMMIT_001518763
SUMMIT_001518278	SUMMIT_001518500	SUMMIT_001518767
SUMMIT_001518282	SUMMIT_001518501	SUMMIT_001518772
SUMMIT_001518286	SUMMIT_001518505	SUMMIT_001518789
SUMMIT_001518297	SUMMIT_001518507	SUMMIT_001518791
SUMMIT_001518299	SUMMIT_001518508	SUMMIT_001518793
SUMMIT_001518333	SUMMIT_001518510	SUMMIT_001518795
SUMMIT_001518334	SUMMIT_001518516	SUMMIT_001518798
SUMMIT_001518337	SUMMIT_001518518	SUMMIT_001518821
SUMMIT_001518339	SUMMIT_001518535	SUMMIT_001518823
SUMMIT_001518340	SUMMIT_001518536	SUMMIT_001518833
SUMMIT_001518343	SUMMIT_001518548	SUMMIT_001518835
SUMMIT_001518347	SUMMIT_001518549	SUMMIT_001518839
SUMMIT_001518349	SUMMIT_001518552	SUMMIT_001518842
SUMMIT_001518350	SUMMIT_001518553	SUMMIT_001518844
SUMMIT_001518353	SUMMIT_001518556	SUMMIT_001518847
SUMMIT_001518386	SUMMIT_001518559	SUMMIT_001518848
SUMMIT_001518387	SUMMIT_001518562	SUMMIT_001518851
SUMMIT_001518395	SUMMIT_001518564	SUMMIT_001518858
SUMMIT_001518396	SUMMIT_001518577	SUMMIT_001518870
SUMMIT_001518399	SUMMIT_001518579	SUMMIT_001518873

**HIGHLY CONFIDENTIAL****Appendix 2**

SUMMIT_001518874	SUMMIT_001519062	SUMMIT_001519274
SUMMIT_001518878	SUMMIT_001519071	SUMMIT_001519277
SUMMIT_001518882	SUMMIT_001519075	SUMMIT_001519278
SUMMIT_001518887	SUMMIT_001519076	SUMMIT_001519284
SUMMIT_001518891	SUMMIT_001519077	SUMMIT_001519285
SUMMIT_001518892	SUMMIT_001519078	SUMMIT_001519288
SUMMIT_001518895	SUMMIT_001519079	SUMMIT_001519292
SUMMIT_001518896	SUMMIT_001519081	SUMMIT_001519294
SUMMIT_001518899	SUMMIT_001519085	SUMMIT_001519298
SUMMIT_001518903	SUMMIT_001519086	SUMMIT_001519302
SUMMIT_001518907	SUMMIT_001519096	SUMMIT_001519304
SUMMIT_001518908	SUMMIT_001519099	SUMMIT_001519309
SUMMIT_001518909	SUMMIT_001519103	SUMMIT_001519313
SUMMIT_001518912	SUMMIT_001519104	SUMMIT_001519343
SUMMIT_001518915	SUMMIT_001519106	SUMMIT_001519349
SUMMIT_001518917	SUMMIT_001519108	SUMMIT_001519352
SUMMIT_001518928	SUMMIT_001519118	SUMMIT_001519354
SUMMIT_001518930	SUMMIT_001519122	SUMMIT_001519363
SUMMIT_001518932	SUMMIT_001519126	SUMMIT_001519366
SUMMIT_001518936	SUMMIT_001519131	SUMMIT_001519368
SUMMIT_001518938	SUMMIT_001519133	SUMMIT_001519371
SUMMIT_001518939	SUMMIT_001519144	SUMMIT_001519377
SUMMIT_001518940	SUMMIT_001519150	SUMMIT_001519378
SUMMIT_001518944	SUMMIT_001519151	SUMMIT_001519381
SUMMIT_001518948	SUMMIT_001519153	SUMMIT_001519383
SUMMIT_001518949	SUMMIT_001519159	SUMMIT_001519387
SUMMIT_001518953	SUMMIT_001519160	SUMMIT_001519389
SUMMIT_001518960	SUMMIT_001519162	SUMMIT_001519390
SUMMIT_001518965	SUMMIT_001519164	SUMMIT_001519399
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SUMMIT_001518974	SUMMIT_001519173	SUMMIT_001519403
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SUMMIT_001518979	SUMMIT_001519176	SUMMIT_001519418
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SUMMIT_001518994	SUMMIT_001519180	SUMMIT_001519427
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SUMMIT_001519018	SUMMIT_001519201	SUMMIT_001519454
SUMMIT_001519019	SUMMIT_001519206	SUMMIT_001519461
SUMMIT_001519024	SUMMIT_001519208	SUMMIT_001519462
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SUMMIT_001519038	SUMMIT_001519239	SUMMIT_001519476
SUMMIT_001519040	SUMMIT_001519247	SUMMIT_001519485
SUMMIT_001519043	SUMMIT_001519250	SUMMIT_001519502
SUMMIT_001519047	SUMMIT_001519256	SUMMIT_001519509
SUMMIT_001519048	SUMMIT_001519259	SUMMIT_001519518
SUMMIT_001519053	SUMMIT_001519264	SUMMIT_001519519
SUMMIT_001519056	SUMMIT_001519270	SUMMIT_001519521
SUMMIT_001519059	SUMMIT_001519271	SUMMIT_001519527



**HIGHLY CONFIDENTIAL****Appendix 2**

SUMMIT_001519534	SUMMIT_001519844	SUMMIT_001520597
SUMMIT_001519535	SUMMIT_001519847	SUMMIT_001520604
SUMMIT_001519541	SUMMIT_001519855	SUMMIT_001520610
SUMMIT_001519548	SUMMIT_001519857	SUMMIT_001520612
SUMMIT_001519551	SUMMIT_001519859	SUMMIT_001520786
SUMMIT_001519553	SUMMIT_001519870	SUMMIT_001520787
SUMMIT_001519564	SUMMIT_001519878	SUMMIT_001520884
SUMMIT_001519571	SUMMIT_001519888	SUMMIT_001537819
SUMMIT_001519579	SUMMIT_001519895	SUMMIT_001546267
SUMMIT_001519580	SUMMIT_001519896	SUMMIT_001546283
SUMMIT_001519588	SUMMIT_001519898	SUMMIT_001546284
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SUMMIT_001519615	SUMMIT_001519923	SUMMIT_001547675
SUMMIT_001519633	SUMMIT_001519931	SUMMIT_001548454
SUMMIT_001519634	SUMMIT_001519934	SUMMIT_001549118
SUMMIT_001519635	SUMMIT_001519941	SUMMIT_001549126
SUMMIT_001519640	SUMMIT_001519949	SUMMIT_001549381
SUMMIT_001519648	SUMMIT_001519959	SUMMIT_001549520
SUMMIT_001519653	SUMMIT_001519965	SUMMIT_001549566
SUMMIT_001519658	SUMMIT_001519970	SUMMIT_001549654
SUMMIT_001519661	SUMMIT_001519971	SUMMIT_001549655
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SUMMIT_001519688	SUMMIT_001520000	SUMMIT_001549936
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SUMMIT_001519780	SUMMIT_001520521	SUMMIT_001565687
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SUMMIT_001519830	SUMMIT_001520586	SUMMIT_001571616
SUMMIT_001519836	SUMMIT_001520592	SUMMIT_001571620

**HIGHLY CONFIDENTIAL****Appendix 2**

SUMMIT_001571624	SUMMIT_001795407	SUMMIT_001954064
SUMMIT_001571628	SUMMIT_001798090	SUMMIT_001954065
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SUMMIT_001575505	SUMMIT_001874511	SUMMIT_001954218
SUMMIT_001577381	SUMMIT_001874719	SUMMIT_001954242
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SUMMIT_001577682	SUMMIT_001874929	SUMMIT_001954252
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SUMMIT_001579264	SUMMIT_001918121	SUMMIT_001954483
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SUMMIT_001795372	SUMMIT_001953717	SUMMIT_002052917
SUMMIT_001795382	SUMMIT_001953828	SUMMIT_002052951
SUMMIT_001795404	SUMMIT_001954061	SUMMIT_002053751

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SUMMIT_002053822	SUMMIT_002056025	SUMMIT_002057552
SUMMIT_002053851	SUMMIT_002056036	SUMMIT_002057553
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SUMMIT_002053855	SUMMIT_002056074	SUMMIT_002057562
SUMMIT_002053856	SUMMIT_002056427	SUMMIT_002057566
SUMMIT_002053857	SUMMIT_002056442	SUMMIT_002057570
SUMMIT_002054128	SUMMIT_002056462	SUMMIT_002057574
SUMMIT_002054133	SUMMIT_002056479	SUMMIT_002057578
SUMMIT_002054138	SUMMIT_002056500	SUMMIT_002057582
SUMMIT_002054173	SUMMIT_002056519	SUMMIT_002057586
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SUMMIT_002055996	SUMMIT_002057547	SUMMIT_002057681
SUMMIT_002056007	SUMMIT_002057550	SUMMIT_002057682
SUMMIT_002056017	SUMMIT_002057551	SUMMIT_002057683

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SUMMIT_002057692	SUMMIT_002057857	SUMMIT_002057979
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SUMMIT_002057724	SUMMIT_002057868	SUMMIT_002058002
SUMMIT_002057728	SUMMIT_002057872	SUMMIT_002058006
SUMMIT_002057732	SUMMIT_002057876	SUMMIT_002058010
SUMMIT_002057733	SUMMIT_002057880	SUMMIT_002058014
SUMMIT_002057734	SUMMIT_002057884	SUMMIT_002058018
SUMMIT_002057735	SUMMIT_002057888	SUMMIT_002058021
SUMMIT_002057736	SUMMIT_002057892	SUMMIT_002058025
SUMMIT_002057737	SUMMIT_002057896	SUMMIT_002058029
SUMMIT_002057738	SUMMIT_002057899	SUMMIT_002058030
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SUMMIT_002057852	SUMMIT_002057974	SUMMIT_002058094
SUMMIT_002057853	SUMMIT_002057975	SUMMIT_002058095
SUMMIT_002057854	SUMMIT_002057976	SUMMIT_002058096

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SUMMIT_002058097	SUMMIT_002058239	SUMMIT_002079091
SUMMIT_002058101	SUMMIT_002058243	SUMMIT_002079120
SUMMIT_002058105	SUMMIT_002058247	SUMMIT_002079135
SUMMIT_002058109	SUMMIT_002058251	SUMMIT_002079141
SUMMIT_002058113	SUMMIT_002058255	SUMMIT_002079162
SUMMIT_002058117	SUMMIT_002058259	SUMMIT_002079178
SUMMIT_002058121	SUMMIT_002058263	SUMMIT_002079407
SUMMIT_002058125	SUMMIT_002058267	SUMMIT_002079410
SUMMIT_002058128	SUMMIT_002058273	SUMMIT_002079414
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SUMMIT_002058187	SUMMIT_002058799	SUMMIT_002079479
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SUMMIT_002058227	SUMMIT_002072913	SUMMIT_002079540
SUMMIT_002058231	SUMMIT_002074238	SUMMIT_002079542
SUMMIT_002058235	SUMMIT_002077887	SUMMIT_002079545



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SUMMIT_002079547	SUMMIT_002080147	SUMMIT_002103769
SUMMIT_002079550	SUMMIT_002080180	SUMMIT_002103771
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SUMMIT_002079903	SUMMIT_002081339	SUMMIT_002103802
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SUMMIT_002079975	SUMMIT_002081473	SUMMIT_002103849
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SUMMIT_002080116	SUMMIT_002089126	
SUMMIT_002080127	SUMMIT_002103762	
SUMMIT_002080145	SUMMIT_002103766	

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**Appendix 2**

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### **Appendix 3**

**Appendix 3**

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**Search Terms**

bunavail	dann	fenlanyl
bunavail1	daon	fentalyl
bupenorphone	darn	fentanal
buphenorphine	darwn	fentanayl
bupreanorphine	datn	fentanil
buprenarphine	daun	fentanl
buprenerphine	davn	fentanol
buprenoiphine	daw	fentantyl
buprenophine	dawl	fentanvl
buprenorohine	dawa	fentany
buprenorphene	dawan	fentanyl
buprenorphinc	dawc	fentany4
buprenorphine	dawd	fentanyal
buprenorphine5	dawe	fentanyf
buprenorphinem	dawg	fentanyi
buprenorphinp	dawin	fentanyk
buprenorphone	dawk	fentanyl
buprenotphine	dawm	fentanyli
buprenourphine	dawn	fentanyll
buprenqrphine	dawna	fentanyls
burprenorphine	dawne	fentanyr
cafentanil	dawnm	fentanyt
carefentanil	dawnn	fentapyl
carentanil	dawns	fentayl
carfentanil	dawny	fentenyl
carfenanil	dawon	fentinyl
carfenianil	daws	fentnyl
carfentani	dawt	fentonyl
carfentanii	dawu	fentranyl
carfentanil	dawun	fentyhyl
carfentanil_	dawy	feotanyl
carfentanyl	dayn	fetanyl
carfentenil	dolophine	hearoin
carfentinil	dolophinel	heecoin
carfentonil	dolphine	hefoin
carientanil	eveio	heioin
cartentanil	evgio	heiroin
catfentanil	evio	heloin
dacn	evzio	henoin
dahn	evzno	heoin
dain	febtanyl	heqoin
daln	fehtanyl	her6in
damn	fenanyl	herain
dan	fenianyl	herbin

**Appendix 3**

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hercin	herois	naloxone
herdin	heroiu	nacan
herein	heroiv	naecan
hereoin	herojn	nafoxone
hergin	herokn	naftrexone
herin	herolin	naican
herioin	heroln	naioxone
herkin	heromin	naitrexone
hermin	heron	najoxone
hernin	herooin	nalaoxone
hero1n	heropin	nalaxone
herocn	herorin	naloaone
heroen	herotn	nalokone
herofn	herrin	nalosone
heroi	herroin	naloxane
heroia	hertoin	naloxbne
heroic	hervin	naloxene
heroig	herwin	naloxon
heroih	hesoin	naloxon6
heroii	hetoin	naloxona
heroijn	meihadone	naloxonc
heroik	melhadone	naloxonce
heroil	metadone	naloxone
heroim	methadone	naloxont
heroin	methadnne	naloxooe
heroin_	methadon	naloxpne
heroin1	methadone	naltexone
heroin2	methadone	naltraxone
heroin7	methadone_	naltreone
heroina	methadone9	naltrexonc
heroinb	methadonei	naltrexone
heroinc	methadonem	naltroxone
heroind	methadonet	naltrqzone
heroine	methadonew	naltrzone
heroing	methadose	nalttzone
heroini	methadose	naluxone
heroinm	methalone	nalxone
heroinn	methandone	naoxone
heroino	methanone	naran
heroinq	methasone	narca
heroinr	methdone	narcab
heroins	methedone	narcaim
heroinu	methndone	narcam
herioin	methodone	narcan
heroip	methsdone	narcan_
heroir	metthadone	narcan0



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narcane	opiateg	opiopd
narcani	opiatel	opiord
narcann	opiates	opiorid
narcans	opiatf	opiotd
narcar	opiatl	opiothe
narcarn	opiats	opipid
narcas	opiatt	opiqid
narccan	opiatu	opisid
narcen	opibid	opitate
narcn	opidid	opite
narcon	opieid	opitm
narcun	opieum	opiu
nardan	opigid	opiuud
narean	opigm	opiul
narfan	opiloid	opium
nargan	opilte	opjoid
narian	opim	oplate
narlan	opinid	oploid
naroan	opio1d	opnate
narran	opio4d	opoid
narwan	opiod	oppoid
naryan	opiodd	opriate
natcan	opioed	oprium
natoxone	opiofd	oproid
natrexone	opioi	optate
nattrexone	opioi4	optiate
op1oid	opioia	optium
op4oid	opioib	optoid
opate	opioic	optum
opdate	opiod	probuphin
opeate	opiod_	probuphine
opeoid	opioida	re_via
opfoid	opioide	reaia
opiaid	opioidi	rebia
opiaie	opioids	recia
opiale	opioidu	refia
opiam	opioii	regia
opiat	opioiid	reia
opiata	opioil	rejia
opiatc	opioin	rekia
opiatd	opioiq	relia
opiate	opioird	remia
opiate5	opiojd	renia
opiatea	opioId	resia
opiated	opiom	retia
opiatee		

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reva	suboxonee	zubsol
revea	suboxones	zubsol
reveia	suboxont	zubsols
revi	suboxpne	zubsolv
revil	suboxtone	zubsolv1
revia	suboxzone	zubsolv4
reviae	subtex	
reviaw	subutex	
revic	subutext	
revid	subuxone	
revie	subxone	
revif	suboxone	
revii	suboxone	
revil	suboxone	
revim	suboxone	
revin	vivatrol	
revina	vivftrol	
revio	vivirol	
revir	vivilrol	
revis	vivitol	
revit	vivitol	
revita	vivital	
reviv	viviro	
reviw	viviro1	
revix	viviro4	
reviz	viviro9	
revma	vivitrol	
subaxone	vivitrol	
sublocade	vivitrol	
suboione	vivitrol	
subonone	vivitrol	
suboone	vivitrol	
subosone	vivitrol	
subovone	vivitrol	
suboxone	vivitrol	
suboxane	vivitrol	
suboxbne	vivitrol	
suboxeone	vivitrol	
suboxine	vivitrol	
suboxne	vivitrol	
suboxon	vivitrol	
suboxonae	vivitrol	
suboxonc	vivitrol	
suboxone	vivitrol	
suboxone1	vivitrol	
suboxone4	vivitrol	

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## **Appendix 4**

Appendix 4  
Cuyahoga County  
Direct Costs

				[A]	[B]	[C] = [A] - [B]	[D]	[E]	[F] = [D] - [E]	
				Prescription			General			
Item No.	Document Reference	Period	Cost Description	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Notes
ADAMHS Board										
1	2011-2017 Cash Disbursements	2011-2017	Total disbursements for opiate conferences, heroin prevention campaigns, and MAT/Suboxone/Vivitrol related expenditures.	\$ -	\$ -	\$ -	\$ 346,209	\$ 213,758	\$ 132,451	• See Appendix 4.1 for further detail of the calculations for the "Identified Opioid Cost," "Cost Paid by Grant(s) / Non-County Funds" and "Direct Cost." • Cost also referenced at "Cuyahoga County Court of Common Pleas" section of the Opiate Task Force 2016 Annual Report.
2	ADAMHS 2014 Budget (CUYAH_000013464 at CUYAH_000013476)	2014	Suboxone AoD Outpatient Treatment (St. Vincent Charity).	-	-	-	150,000	111,296	38,704	• "Cost Paid by Grant(s) / Non-County Funds" is estimated as the "Identified Opioid Cost" (\$150,000) x the funding percentages of all "Grant(s) / Non-County Funds" for AoD services in 2014 (74.2%). The "Grant(s) / Non-County Funds" percentages were determined by utilizing 2014 data reported to Ohio MHAS (OhioMHAS_2804-000000001) and the ADAMHS annual report.
3	ADAMHS 2015 Funding Recommendations (CUYAH_000012595 at CUYAH_000012868)	2015	"1.8 Million Recommendations" related to opioids: • Naloxone - Project Dawn (MetroHealth Hospitals): \$100,000 • Vivitrol Medication Assistance Pilot (TBD): 100,000 • Outreach and Payee Program (FrontLine Services): 130,000 • Field Coordinator for Heroin Awareness (Contract with Individuals in Recovery) 48,130 Total \$378,130	-	-	-	378,130	378,130	-	• The "1.8 Million Recommendations" related to crisis related programs and services. See p. 3 of ADAMHS 2015 Funding Recommendations (CUYAH_000012595 at CUYAH_000012600). • Cost paid for by Ohio Department of Mental Health and Addiction Services (Ohio MHAS).
4	ADAMHS 2015 Funding Recommendations (CUYAH_000012595 at CUYAH_000012864)	2015	New proposed core contracts regarding the expansion of sober beds with: • Stella Maris: \$200,000 • Cleveland Treatment Center: 200,000 Total \$400,000	-	-	-	400,000	219,679	180,321	• "Cost Paid by Grant(s) / Non-County Funds" is estimated as the "Identified Opioid Cost" (\$400,000) x the funding percentages of all "Grant(s) / Non-County Funds" for AoD services in 2015 (54.9%). The "Grant(s) / Non-County Funds" percentages were determined by utilizing 2015 data reported to Ohio MHAS (OhioMHAS_2804-000000002) and the ADAMHS annual report. • Cost also referenced at p. 4 of ADAMHS 2015 Annual Report (CUYAH_000012561 at CUYAH_000012565).
5	ADAMHS 2016 Budget Summary (CUYAH_000013813 at CUYAH_000013813)	2016	Prevention Campaigns (Suicide, Gambling, Heroin, etc.) • Heroin Estimate: \$300,000 / 3 = \$100,000	-	-	-	100,000	58,035	41,965	• "Identified Opioid Cost" estimated as 1/3 of the budgeted amount (\$300,000) for Prevention Campaigns (Suicide, Gambling, Heroin, etc.) to conservatively account for Heroin out of the three stated campaigns. • "Cost Paid by Grant(s) / Non-County Funds" is estimated as the "Identified Opioid Cost" (\$100,000) x the funding percentages of all "Grant(s) / Non-County Funds" for AoD services in 2016 (58.0%). The "Grant(s) / Non-County Funds" percentages were determined by utilizing 2016 data reported to Ohio MHAS (OhioMHAS_2804-000000003) and the ADAMHS annual report.
6	ADAMHS Efforts to Combat Opioid / Heroin Crisis (CUYAH_000018728 at CUYAH_000018728, CUYAH_000018731)	2016-2017	MetroHealth Project Dawn Program (2016): \$100,000 *Prevention Services (2017): 2,164,611 Total \$2,264,611  *Prevention Services includes Fentanyl Test Strip Program and Prevention Campaigns	-	-	-	2,264,611	1,269,308	995,303	• "Cost Paid by Grant(s) / Non-County Funds" is estimated as the ("Identified Opioid Cost" for 2016 (\$100,000) x the funding percentages of all "Grant(s) / Non-County Funds" for AoD services in 2016 (58.0%)) + ("Identified Opioid Cost" for 2017 (\$2,164,611) x the funding percentages of all "Grant(s) / Non-County Funds" for AoD services in 2017 (56.0%)). The "Grant(s) / Non-County Funds" percentages were determined by utilizing 2016 and 2017 data reported to Ohio MHAS (OhioMHAS_2804-000000003 and OhioMHAS_2804-000000004) and the ADAMHS annual report. • Excludes the \$250,000 from Cuyahoga County and the \$1,000,000 contribution toward ambulatory detoxification and the expansion of its treatment and recovery services to combat the heroin crisis (see item no. 7 - "Cuyahoga County & City of Cleveland Tackling Heroin Partnership Document").
7	Cuyahoga County & City of Cleveland Tackling Heroin Partnership Document (CUYAH_012582973 at CUYAH_012582973)	2017	Cuyahoga County & City of Cleveland Tackling Heroin Partnership: MAT Based Services and Sober Beds: \$2,647,277 Ambulatory Detoxification Initiative: 255,054 Recovery Supports: 625,000 Medication - Vivitrol: 100,000 Medication - Naloxone: 100,000 Quick Response Protocol Pilot Initiative: 200,000 Total \$3,927,331	-	-	-	3,927,331	3,103,758	823,573	• "Cost Paid by Grant(s) / Non-Local Funds" includes a contribution of \$250,000 from the City of Cleveland, \$2,125,000 in grant money from the CURES Act, and \$728,758 (calculated the \$1,302,331 paid from ADAMHS reserves x the funding percentages of all "Grant(s) / Non-County Funds" for AoD services in 2017 (56.0%)). The "Grant(s) / Non-County Funds" percentages were determined by utilizing 2017 data reported to Ohio MHAS (OhioMHAS_2804-000000004) and the ADAMHS annual report. • Cost also referenced at p. 3 of ADAMHS 2016 Annual Report, p. 4 of ADAMHS 2017 Annual Report (CUYAH_000012577 at CUYAH_000012581), and Cuyahoga County & City of Cleveland Tackling Heroin Partnership, 2016 (CUYAH_000018761).

Appendix 4  
Cuyahoga County  
Direct Costs

				Prescription			General			
Item No.	Document Reference	Period	Cost Description	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Notes
8	2018 ADAMHS Funding Recommendations (CUYAH_001350090 at CUYAH_001350093)	2017-2018	<b>AoD Suboxone (Rosary Hall) - St. Vincent Charity</b> • Total 2017 Contract Amount: \$40,000 • 2018 Recommendation: <u>11,900</u> <b>Total \$51,900</b>	-	-	-	51,900	29,042	22,858	• See "Outpatient Treatment" section of the 2018 ADAMHS Funding Recommendations for further detail. • "Cost Paid by Grant(s) / Non-County Funds" is estimated as the "Identified Opioid Cost" (\$51,900) x the funding percentages of all non-county funds for AoD services in 2017 (56.0%) because the data was not available for 2018. The "Grant(s) / Non-County Funds" percentages were determined by utilizing 2017 data reported to Ohio MHAS (OhioMHAS_2804-000000004) and the ADAMHS annual report. • Excludes the \$100,000 Project Dawn expenditures because it is already accounted for in item no. 7 - "Cuyahoga County & City of Cleveland Tackling Heroin Partnership Document" (see "Medication - Naloxone").
Subtotal - ADAMHS Board				\$ -	\$ -	\$ -	\$ 7,618,181	\$ 5,383,007	\$ 2,235,174	
Office of the Prosecutor										
9	Office of the Prosecutor, 2015 Report to the Public (CUYAH_012970490 at CUYAH_012970501)	2015	Launch of an awareness campaign (www.LetsFaceHeroin.com).	-	-	-	100,000	-	100,000	• Cost paid for by county forfeiture funds.
Subtotal - Office of the Prosecutor				\$ -	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	
Court of Common Pleas										
10	Cuyahoga 2012 Single Audit (CUYAH_001974107 at CUYAH_001974116, CUYAH_001974376, CUYAH_001974377)	2012	"Adult Drug Court Opiate" and "Drug Court Opiate" expenditures  • Total Adult Drug Court Opiate: \$305,937 • Total Drug Court Opiate: 40,601 • Less: DOJ/BJA Drug Court Opiate: <u>(99,968)</u> <b>Total: \$246,570</b>	-	-	-	346,538	99,968	246,570	• "Cost Paid by Grant(s) / Non-County Funds" also referenced at Cuyahoga Resolutions, 2011-2017 Related to Opiate Additions (related to County Council of Cuyahoga County, Ohio - Resolution Nos. R2012-0002, items D and E).
11	Cuyahoga 2013 Single Audit (CUYAH_001974448 at CUYAH_001974453, CUYAH_001974457, CUYAH_001974720, CUYAH_001974721)	2013	"Adult Drug Court Opiate" and "Drug Court Opiate" expenditures.  • Total Adult Drug Court Opiate \$539,065 • Total Drug Court Opiate: 136,327 • Less: DOJ/BJA Adult Drug Court Opiate 11-12: (97,320) • Less: DOJ/BJA Adult Drug Court Opiate FY12-14: (286,316) • Less: DOJ/BJA Adult Drug Court Opiate FY12-14: <u>(136,327)</u> <b>Total: \$155,429</b>	-	-	-	675,392	519,963	155,429	• "Cost Paid by Grant(s) / Non-County Funds" also referenced at Cuyahoga Resolutions, 2011-2017 Related to Opiate Additions (related to County Council of Cuyahoga County, Ohio - Resolution Nos. R2012-0002, items D and E, and R2013-0057, item I).
12	Cuyahoga 2014 Single Audit (CUYAH_001974795 at CUYAH_001974799, CUYAH_001974803, CUYAH_001975058)	2014	"Adult Drug Court Opiate" and "Drug Court Opiate" expenditures.  • Total Adult Drug Court Opiate: \$431,335 • Total Drug Court Opiate: 115,242 • Less: DOJ/BJA Adult Drug Court Opiate 11/12: (147,000) • Less: DOJ/BJA Adult Drug Court Opiate FY12-14: (215,860) • Less: DOJ/BJA Adult Drug Court Opiate FY12-14: <u>(115,242)</u> <b>Total: \$68,475</b>	-	-	-	546,577	478,102	68,475	• "Cost Paid by Grant(s) / Non-County Funds" also referenced at Cuyahoga Resolutions, 2011-2017 Related to Opiate Additions (related to County Council of Cuyahoga County, Ohio - Resolution Nos. R2012-0002, items D and E, R2013-0057, item I, and R2014-0051, item K).
13	Cuyahoga 2015 Single Audit (CUYAH_001975132 at CUYAH_001975136, CUYAH_001975140, CUYAH_001975420)	2015	"Adult Drug Court Opiate" and "Drug Court Opiate" expenditures.  • Adult Drug Court Opiate: \$75,603 • Drug Court Opiate: 179 • Less: DOJ/BJA Adult Drug Court Opiate 11//12: (12,629) • Less: DOJ/BJA Adult Drug Court Opiate 12/13: (62,974) • Less: DOJ/BJA Adult Drug Court Opiate FY12-14: <u>(179)</u> <b>Total: \$0</b>	-	-	-	75,782	75,782	-	• "Cost Paid by Grant(s) / Non-County Funds" also referenced at Cuyahoga Resolutions, 2011-2017 Related to Opiate Additions (related to County Council of Cuyahoga County, Ohio - Resolution Nos. R2012-0002, items D and E, and R2013-0057, item I, and R2014-0051, item K).
14	Court of Common Pleas 2016 Annual Report (CUYAH_001349519 at CUYAH_001349595)	2016	"Court Innovation Grant" award to target Fentanyl use among Drug Court participants paid by the Supreme Court of Ohio.	-	-	-	75,000	75,000	-	• Cost paid for by the Supreme Court of Ohio.

Appendix 4  
Cuyahoga County  
Direct Costs

				Prescription			General			
Item No.	Document Reference	Period	Cost Description	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Notes
15	Opiate Task Force 2016 Annual Report	2016	Contribution to Salvation Army – Harbor Light for a pilot program to support access to Vivitrol.	-	-	-	100,000	-	100,000	• See "Cuyahoga County Court of Common Pleas" section of the Opiate Task Force 2016 Annual Report for further detail of the "Direct Cost."
16	Cuyahoga Resolutions, 2011-2017 Related to Opiate Addictions (CUYAH_000018175 at CUYAH_000018176)	2016	Adult Drug Court expenditures paid by Substance Abuse and Mental Health Services Administration.	-	-	-	306,301	306,301	-	• See County Council of Cuyahoga County, Ohio - Resolution No. 2016-0234, item D for the amount paid by Substance Abuse and Mental Health Services Administration ("Cost Paid by Grant(s) / Non-County Funds").
17	Court of Common Pleas 2017 Annual Report (CUYAH_001349609 at CUYAH_001349679)	2017	"Community Corrections Act" grants and a Supreme Court grant for fentanyl testing	-	-	-	200,000	200,000	-	• See "Drug Testing Laboratory" section of the Court of Common Pleas 2017 Annual Report. • Cost paid for by the "Community Corrections Act" grants and a Supreme Court grant.
18	Cuyahoga Resolutions, 2011-2017 Related to Opiate Addictions (CUYAH_000018175 at CUYAH_000018177)	2017	TASC Adult Drug Court expenditures.	-	-	-	316,673	-	316,673	• See County Council of Cuyahoga County, Ohio - Resolution No. 2017-0021, item AI. • The funding is supported by the county ADAMHS Board.
19	Cuyahoga Resolutions, 2011-2017 Related to Opiate Addictions (CUYAH_000018175 at CUYAH_000018176)	2015-2017	Agreement with ADAMHS for residential and intensive outpatient treatment services in connection with the Drug Court Expansion Project.	-	-	-	568,197	568,197	-	• "Identified Opioid Cost" and "Cost Paid by Grant(s) / Non-County Funds" represent the budgeted cost. The actual cost is not known (related to County Council of Cuyahoga County, Ohio - Resolution No. 2015-0009). • Agreement funded by Substance Abuse and Mental Health Services Administration (SAMHSA) grant.
20	Cuyahoga Resolutions, 2011-2017 Related to Opiate Addictions (CUYAH_000018175 at CUYAH_000018176)	2015-2017	Agreement with ADAMHS for Adult Probation Substance Abuse Residential Treatment Program.	-	-	-	2,380,395	240,000	2,140,395	• "Identified Opioid Cost" represents the budgeted cost as the actual cost is not known. Agreement funded 89.9% by the general fund and 10.1% by Community Corrections Act grants. • Also see County Council of Cuyahoga County, Ohio - Resolution No. 2015-0010. • "Direct Cost" is calculated as 89.9% of the "Identified Opioid Cost" (related to resolution no. 2015-0010).
21	SAMHSA Notice of Award, MAT Drug Court (CUYAH_000088861 at CUYAH_000088862)	2016-2019	SAMHSA Notice of Award, MAT Drug Court:  Award per year: \$325,000 Awarded for: 3 years Total: \$975,000	-	-	-	975,000	975,000	-	• Cost also referenced on the U.S. Department of Health and Human Services, SAMHSA website (https://www.samhsa.gov/grants-awards-by-state/OH/discretionary/2016/details?page=6). • Cost paid for by SAMHSA grant.
Subtotal - Court of Common Pleas				\$ -	\$ -	\$ -	\$ 6,565,855	\$ 3,538,313	\$ 3,027,542	
Juvenile Court										
22	Court of Common Pleas - Juvenile Division 2017 Annual Report	2017	Hiring of three additional magistrates in 2017 to hear private custody dockets related to children placement in foster care due to opioid abuse. • Total Compensation Estimate: \$105,931 x 3 = \$317,793	\$ -	\$ -	\$ -	\$ 317,793	\$ -	\$ 317,793	• See p. 7 of the Court of Common Pleas, Juvenile Division 2017 Annual Report for the three additional magistrates hired. • "Identified Opioid Cost" is calculated as the average estimated compensation of an additional magistrate (\$105,931) x the number of additional magistrates (3). See CUYAH_002426286, CUYAH_014627783, and CUYAH_001714366 for further detail.
Subtotal - Juvenile Court				\$ -	\$ -	\$ -	\$ 317,793	\$ -	\$ 317,793	
Sheriff's Department										
23	Sheriff's Department 2015 Annual Report (CUYAH_000120708 at CUYAH_000120746)	2013-2015	Cuyahoga County Rx Drug Box Program provided 49 Rx Drug Drop Boxes. • Total Rx Drug Drop Box Estimate: 49 x \$718.18 = \$35,191	\$ 35,191	\$ -	\$ 35,191	\$ -	\$ -	\$ -	• The average cost of a Rx Drug Drop Box is estimated as the average cost of the 11 Rx Drug Drop Boxes from the 2013 Cash Disbursement and 2015 Cash Disbursement files (\$718.18 average cost per box). See Appendix 4.1 for further detail. • "Direct Cost" is estimated as the average cost per Rx Drug Drop Box (\$718.18) x the 49 Rx Drug Drop Boxes.
Subtotal - Sheriff's Department				\$ 35,191	\$ -	\$ 35,191	\$ -	\$ -	\$ -	
Medical Examiner										
24	Cuyahoga Medical Examiner's Memorandum (CUYAH_001629584 at CUYAH_001629584, CUYAH_001629585)	2015-2016	Heroin and fentanyl related cost commitments:  • 2015-2016 Personnel: \$100,000 • Supplies & testing: 197,000 • Body transport costs: 142,000 Total \$439,000	\$ -	\$ -	\$ -	\$ 439,000	\$ 74,572	\$ 364,428	• "Identified Opioid Cost" also referenced in the 2017 Coordination Plan (CUYAH_001714432). • "Cost Paid by Grant(s) / Non-County Funds" is estimated as the "Identified Opioid Cost" for 2015-2016 (\$439,000) x the weighted average percentage of out-of-county autopsies in 2015 and 2016 (17.0%). See Cuyahoga 2016/2017 Budget Plan, p. 83 and Cuyahoga 2018/2019 Budget Plan (CUYAH_000010910), at "Medical Examiner" section (CUYAH_000010947) for the number of autopsies in 2015 and 2016.

Appendix 4  
Cuyahoga County  
Direct Costs

				Prescription			General			
Item No.	Document Reference	Period	Cost Description	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Notes
25	Cuyahoga Medical Examiner's Memorandum (CUYAH_001629584 at CUYAH_001629584, CUYAH_001629585)	2017	Heroin and fentanyl related cost commitments for  • Personnel: \$415,000 • Equipment: 550,000 • Supplies & testing: 225,000 • Body transport costs: 250,000 <b>Total: \$1,440,000</b>	-	-	-	1,440,000	330,593	1,109,407	• "Cost Paid by Grant(s) / Non-County Funds" is estimated as the "Identified Opioid Cost" for 2017 (\$1,440,000) x the percentage of out-of-county autopsies in 2017 (23.0%). See Cuyahoga 2018/2019 Budget Plan (CUYAH_000010910), at "Medical Examiner" section (CUYAH_000010947) for the number of autopsies in 2017. • Assumed the \$500,000 in estimated "Shortfalls" due to rising caseloads associated with opioids (see October 2017 Budget and Management Update - CUYAH_000017941 at CUYAH_000017942) are included in the \$1,440,000 amount per the Cuyahoga County Medical Examiner's Memorandum (CUYAH_001629584).
26	Cuyahoga 2016-2017 Budget Plan (CUYAH_005987279 at CUYAH_005987363)	2016-2017	Hiring of seven additional employees in the Regional Crime Lab to assist with the growing heroin epidemic and the recent growth in Fentanyl-related and gun-related deaths.  Budgeted Cost: \$532,176 Budgeted Years: 2 years <b>Total: \$1,064,352</b>	-	-	-	1,064,352	215,587	848,765	• See "Medical Examiner" section of the Cuyahoga 2016-2017 Budget Plan for further detail of the "Identified Opioid Cost." • "Cost Paid by Grant(s) / Non-County Funds" is estimated as the ("Identified Opioid Cost" for 2016 (\$532,176) x the percentage of out-of-county autopsies in 2016 (17.6%)) + ("Identified Opioid Cost" for 2017 (\$532,176) x the percentage of out-of-county autopsies in 2017 (23.0%)). See Cuyahoga 2018/2019 Budget Plan (CUYAH_000010910), at "Medical Examiner" section (CUYAH_000010947) for the number of autopsies in 2016 and 2017.
27	Cuyahoga 2018-2019 Budget Plan (CUYAH_000010910 at CUYAH_000010947)	2018	Hiring of five additional employees (four forensic scientists and one pathology assistant) to assist in responding to the opioid crisis. • Total Compensation Estimate: (\$81,242 x 4) + (\$83,116 x 1) = \$408,083	-	-	-	408,083	93,687	314,396	• "Identified Opioid Cost" calculated as the estimated compensation of an additional pathology assistant + (the estimated compensation of a forensic scientist x the number of additional forensic scientists (4)). See CUYAH_002426286, CUYAH_014627783, and CUYAH_001714366 for further detail. • "Cost Paid by Grant(s) / Non-County Funds" is estimated as the "Identified Opioid Cost" x the percentage of out-of-county autopsies in 2017 (23.0%) because the data was not available for 2018. See Cuyahoga 2018/2019 Budget Plan (CUYAH_000010910), at "Medical Examiner" section (CUYAH_000010947) for the number of autopsies in 2017.
Subtotal - Medical Examiner				\$ -	\$ -	\$ -	\$ 3,351,435	\$ 714,439	\$ 2,636,996	
Division Not Known										
28	2012-2017 Cash Disbursements	2012-2017	Total disbursements for opioid related goods or services.	\$ 5,485	\$ -	\$ 5,485	\$ 128,164	\$ 114,116	\$ 14,047	• See Appendix 4.1 for further detail of the "Identified Opioid Cost," "Cost Paid by Grant(s) / Non-County Funds" and "Direct Cost."
Subtotal - Division Not Known				\$ 5,485	\$ -	\$ 5,485	\$ 128,164	\$ 114,116	\$ 14,047	
Total				\$ 40,676	\$ -	\$ 40,676	\$ 18,081,428	\$ 9,749,875	\$ 8,331,553	

Notes:

- "Identified Opioid Cost" represents the actual/estimated amount of a specific cost relating to opioid abuse.
- "Prescription" represents the actual/estimated amount of the opioid abuse ("Identified Opioid Cost") relating to prescription opioid abuse.
- "General" represents the actual/estimated amount of the opioid abuse ("Identified Opioid Cost") relating to general opioid abuse.
- "Cost Paid by Grant(s) / Non-County Funds" represents the amount of the opioid cost paid through grants or non-county funds.
- The total "Direct Costs" for 2018 = \$319,637. See Item Nos. 8 and 27 [(11,900 x 44.0%) + 314,396].
- At this time I have not analyzed Children and Family Services. Pursuant to the Court's recent rulings, I will supplement my report to include an analysis of Children and Family Services upon receipt of the underlying case files from Plaintiffs.



Appendix 4.1  
Cuyahoga County  
Direct Costs - Cash Disbursement Detail

								[A]	[B]	[C] = [A] - [B]	[D]	[E]	[F] = [D] - [E]
Item No.	Document Reference	Posted Date	Document Type	Vendor Name	Description	Fund	Sub-Fund	Prescription			General		
								Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost
ADAMHS Board													
1	2011 Cash Disbursements (CUYAH 005962707)	12/15/2011	CK1107323	CUYAHOGA COUNTY	ENHANCED OPIATE DEPENDENCY SER	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	\$ -	\$ -	\$ -	\$ 10,000	\$ 7,420	\$ 2,580
2	2012 Cash Disbursements (CUYAH 005968204)	9/13/2012	CK1205096	CUYAHOGA COUNTY	2012 OPIATE CONFERENCE	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	2,500	1,855	645
3	2014 Cash Disbursements (CUYAH 005978560)	2/18/2014	CK1400886	CITY NEWS NEWSPAPER LLC	14 INV.19954 HEROIN CAMPAIGN	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	2,200	1,632	568
4	2014 Cash Disbursements (CUYAH 005978560)	2/18/2014	CK1400887	YOUR TEEN INC	14 INV.254 HERION PREVENTION	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	600	445	155
5	2014 Cash Disbursements (CUYAH 005978560)	4/16/2014	JE1400504		14 3/2014 HEROIN PREVENTION EXPENSE	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	80,593	59,798	20,795
6	2015 Cash Disbursements (CUYAH 005984095)	3/5/2015	JE1500311		15 OPIATE CONF. L. TORBERT	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	160	88	72
7	2016 Cash Disbursements (CUYAH 005984649)	5/16/2016	CK1602612	SALVATION ARMY	16 VIV PIL PRO 1/2016	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	100,000	58,035	41,965
8	2016 Cash Disbursements (CUYAH 005984649)	5/31/2016	CK1602839	ST VINCENT CHARITY MEDICAL CENTER	16 SUB PHA VIS 4/2016	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	143	83	60
9	2016 Cash Disbursements (CUYAH 005984649)	5/31/2016	CK1602839	ST VINCENT CHARITY MEDICAL CENTER	16 SUB PHY VIS 4/2016	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	425	247	178
10	2016 Cash Disbursements (CUYAH 005984649)	10/17/2016	CK1605144	ST VINCENT CHARITY MEDICAL CENTER	16 SUB PRO 9/2016	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	1,028	597	432
11	2016 Cash Disbursements (CUYAH 005984649)	11/14/2016	CK1605607	ST VINCENT CHARITY MEDICAL CENTER	SUBOXONE-PHARMACY-10/16	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	793	460	333
12	2016 Cash Disbursements (CUYAH 005984649)	11/17/2016	CK1605681	COMMUNITY ACTION AGAINST ADDICTION	MAT-SUBOXONE PROGRAM-03/16	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	570	331	239
13	2016 Cash Disbursements (CUYAH 005984649)	11/17/2016	CK1605681	COMMUNITY ACTION AGAINST ADDICTION	MAT-SUBOXONE PROGRAM-04/16	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	573	332	240
14	2016 Cash Disbursements (CUYAH 005984649)	11/17/2016	CK1605681	COMMUNITY ACTION AGAINST ADDICTION	MAT-SUBOXONE PROGRAM-05/16	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	570	331	239
15	2016 Cash Disbursements (CUYAH 005984649)	11/17/2016	CK1605681	COMMUNITY ACTION AGAINST ADDICTION	MAT-SUBOXONE PROGRAM-06/16	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	3,580	2,078	1,502
16	2016 Cash Disbursements (CUYAH 005984649)	11/17/2016	CK1605681	COMMUNITY ACTION AGAINST ADDICTION	MAT-SUBOXONE PROGRAM-07/16	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	4,235	2,458	1,777
17	2016 Cash Disbursements (CUYAH 005984649)	11/17/2016	CK1605681	COMMUNITY ACTION AGAINST ADDICTION	MAT-SUBOXONE PROGRAM-08/16	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	4,368	2,535	1,833
18	2016 Cash Disbursements (CUYAH 005984649)	11/17/2016	CK1605681	COMMUNITY ACTION AGAINST ADDICTION	MAT-SUBOXONE PROGRAM-09/16	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	4,214	2,446	1,768
19	2016 Cash Disbursements (CUYAH 005984649)	12/15/2016	CK1606445	ST VINCENT CHARITY MEDICAL CENTER	16 SUB DOC 11/2016	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	935	543	392
20	2016 Cash Disbursements (CUYAH 005984649)	12/15/2016	CK1606446	ST VINCENT CHARITY MEDICAL CENTER	16 SUB PHA 11/2016	20A SR-HLTH & COMM SERV	317 ADAMHSBCC (AS OF 07/01/2009)	-	-	-	727	422	305
21	2017 Cash Disbursements (CUYAH 005984651)	1/23/2017	CK1700274	ST VINCENT CHARITY MEDICAL CENTER	16 SUB DOC 12/2016	20ASR-HLTH&COMMSERV	317ADAMHSBCC(ASOF07/01/2009)	-	-	-	1,020	571	449
22	2017 Cash Disbursements (CUYAH 005984651)	1/23/2017	CK1700274	ST VINCENT CHARITY MEDICAL CENTER	16 SUB PHA 12/2016	20ASR-HLTH&COMMSERV	317ADAMHSBCC(ASOF07/01/2009)	-	-	-	574	321	253
23	2017 Cash Disbursements (CUYAH 005984651)	2/13/2017	CK1700663	THE SALVATION ARMY-	16 VIV PIL 12/2016	20ASR-HLTH&COMMSERV	317ADAMHSBCCCASOF07/01/2009)	-	-	-	24,566	13,747	10,819
24	2017 Cash Disbursements (CUYAH 005984651)	3/2/2017	CK1700974	ST VINCENT CHARITY MEDICAL CENTER	16 SUB PHA 5/2016	20ASR-HLTH&COMMSERV	317ADAMHSBCC(ASOF07/01/2009)	-	-	-	726	406	320
25	2017 Cash Disbursements (CUYAH 005984651)	4/20/2017	CK1701827	ST VINCENT CHARITY MEDICAL CENTER	SUBOXONE-DR. VISITS-03/17	20ASR-HLTH&COMMSERV	317ADAMHSBCCCASOF07/01/2009)	-	-	-	680	381	299
26	2017 Cash Disbursements (CUYAH 005984651)	4/20/2017	CK1701827	ST VINCENT CHARITY MEDICAL CENTER	SUBOXONE-PHARMACY-03/17	20ASR-HLTH&COMMSERV	317ADAMHSBCCCASOF07/01/2009)	-	-	-	429	240	189
27	2017 Cash Disbursements (CUYAH 005984651)	12/11/2017	CK1706112	THE SALVATION ARMY-	17 VIV PRO 12/2017	20ASR-HLTH&COMMSERV	317ADAMHSBCCCASOF07/01/2009)	-	-	-	100,000	55,958	44,042
Subtotal - ADAMHS Board								\$ -	\$ -	\$ -	\$ 346,209	\$ 213,758	\$ 132,451
Sheriff's Department													
28	2013 Cash Disbursements (CUYAH 005973358)	1/31/2013	CK1300489	NATIONAL ASSOCIATIN OF DRUG DIVERSI	INV15667DROP BIX	01A GENERAL FUND	001 GENERAL FUND	\$ 800	\$ -	\$ 800	\$ -	\$ -	\$ -
29	2015 Cash Disbursements (CUYAH 005984095)	1/15/2015	CK1500236	NATIONAL ASSOCIATIN OF DRUG DIVERSI	10 RX DRUG DROP BOXES -INV 21554	01A GENERAL FUND	001 GENERAL FUND	7,100	-	7,100	-	-	-
Subtotal - Sheriff's Department								\$ 7,900	\$ -	\$ 7,900	\$ -	\$ -	\$ -

Appendix 4.1  
Cuyahoga County  
Direct Costs - Cash Disbursement Detail

								[A]	[B]	[C] = [A] - [B]	[D]	[E]	[F] = [D] - [E]				
Item No.	Document Reference	Posted Date	Document Type	Vendor Name	Description	Fund	Sub-Fund	Prescription			General						
								Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost				
Division Not Known																	
30	2012 Cash Disbursements (CUYAH 005968204)	5/31/2012	CK1203174	MARY L BARTKUS	HOTEL/MEALS BARTKUS OPIAT SUMMIT 5/7-8/2012	20A SR-HLTH & COMM SERV	099 TASC MEDICAID FUNDS(CO)	\$	-	\$	-	\$	218	\$	-	\$	218
31	2012 Cash Disbursements (CUYAH 005968204)	6/7/2012	CK1203270	DARIUSZ W DOLUB	HOTEL & MEALS -DOLUB-OPIATE SUMMIT 5/7-8/2012	20A SR-HLTH & COMM SERV	099 TASC MEDICAID FUNDS(CO)		-		-		176		-		176
32	2012 Cash Disbursements (CUYAH 005968204)	6/7/2012	CK1203270	JOANNE ADAMO	HOTEL & MEALS-ADAMO-OPIATE SUMMIT	20A SR-HLTH & COMM SERV	099 TASC MEDICAID FUNDS(CO)		-		-		137		-		137
33	2012 Cash Disbursements (CUYAH 005968204)	6/7/2012	CK1203270	SARAH MCGUIRE	MCGUIRE-OPIATE SUMMIT-HOTEL,MEALS 5/7-8/2012	20A SR-HLTH & COMM SERV	099 TASC MEDICAID FUNDS(CO)		-		-		209		-		209
34	2012 Cash Disbursements (CUYAH 005968204)	6/7/2012	CK1203259	OACBHA FOUNDATION	INV 60 MCGUIRE OPIATE EPIDEMIC ITS IMPACT	20A SR-HLTH & COMM SERV	099 TASC MEDICAID FUNDS(CO)		-		-		150		-		150
35	2012 Cash Disbursements (CUYAH 005968204)	6/11/2012	CK1203338	MARIA NEMEC	NEMEC-OPIATE SUMMIT	20A SR-HLTH & COMM SERV	192 TASC HHS		-		-		360		-		360
36	2012 Cash Disbursements (CUYAH 005968204)	6/18/2012	CK1203500	LORETTA RYLAND	RYLAND-OPIATE SUMMIT	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES		-		-		209		-		209
37	2012 Cash Disbursements (CUYAH 005968204)	6/25/2012	CK1203632	DARLENE LOUTH	LOUTH - OPIATE SUMMIT	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES		-		-		340		-		340
38	2012 Cash Disbursements (CUYAH 005968204)	7/26/2012	CK1204174	TRANSMETRON	TESTS 5 PANEL 12 PANEL SPICE K2 SUBOXONE CUPS	20A SR-HLTH & COMM SERV	099 TASC MEDICAID FUNDS(CO)		-		-		1,585		-		1,585
39	2012 Cash Disbursements (CUYAH 005968204)	9/24/2012	CK1205323	CUYAHOGA COUNTY BOARD OF HEALTH	2012 OPIATE CONF REG FEE	24A PUBLIC ASSISTANCE FUNDS	878 HHS- OFFICE OF REENTRY		-		-		75		-		75
40	2012 Cash Disbursements (CUYAH 005968204)	10/29/2012	CK1205966	CUYAHOGA COUNTY	OPIATE EPIDEMIC 9/28/12 REG 4	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES		-		-		300		-		300
41	2013 Cash Disbursements (CUYAH 005973358)	6/6/2013	CK1303027	OACBHA FOUNDATION	COLLINS KRUGER COAKLEY REG FEE OPIATE SUMMIT 2013	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES		-		-		400		-		400
42	2013 Cash Disbursements (CUYAH 005973358)	6/6/2013	CK1303039	ANGELA D COLLINS	COLLINS OPIATE CONFERENCE APR 2013	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES		-		-		307		-		307
43	2013 Cash Disbursements (CUYAH 005973358)	6/6/2013	CK1303039	MOLLY KRUEGER	KRUEGER OHIO OPIATE CONF APR 2013	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES		-		-		280		-		280
44	2013 Cash Disbursements (CUYAH 005973358)	7/8/2013	CK1303644	LUIS VAZQUEZ	OPIATE CONF COLUMBUS OH 4/29-30/13	24A PUBLIC ASSISTANCE FUNDS	878 HHS- OFFICE OF REENTRY		-		-		548		-		548
45	2013 Cash Disbursements (CUYAH 005973358)	7/30/2013	PR1300908		DRUG DROP FLYER	01A GENERAL FUND	001 GENERAL FUND		455		-		455		-		-
46	2013 Cash Disbursements (CUYAH 005973358)	10/8/2013	PR1301591		RX DRUP DROP OFF FLYER	01A GENERAL FUND	001 GENERAL FUND		199		-		199		-		-
47	2013 Cash Disbursements (CUYAH 005973358)	11/8/2013	PR1301518		DRUG DROP BOX FLYER	01A GENERAL FUND	001 GENERAL FUND		337		-		337		-		-
48	2013 Cash Disbursements (CUYAH 005973358)	12/6/2013	PR1301947		DRUG DROP PROGRAM POSTER	01A GENERAL FUND	001 GENERAL FUND		77		-		77		-		-
49	2013 Cash Disbursements (CUYAH 005973358)	12/6/2013	PR1301950		DRUG DROP BOX FLYER	01A GENERAL FUND	001 GENERAL FUND		603		-		603		-		-
50	2013 Cash Disbursements (CUYAH 005973358)	12/6/2013	PR1301976		DRUG DROP BOX PROGRAM	01A GENERAL FUND	001 GENERAL FUND		303		-		303		-		-
51	2014 Cash Disbursements (CUYAH 005978560)	2/10/2014	PR1301911		DRUG DROP BOX FLYER	01A GENERAL FUND	001 GENERAL FUND		1,978		-		1,978		-		-
52	2014 Cash Disbursements (CUYAH 005978560)	3/13/2014	PR1400307		DRUP DROP BOX FLYER	01A GENERAL FUND	001 GENERAL FUND		948		-		948		-		-
53	2014 Cash Disbursements (CUYAH 005978560)	3/13/2014	PR1400308		DRUG DROP BOX FLYER	01A GENERAL FUND	001 GENERAL FUND		79		-		79		-		-
54	2014 Cash Disbursements (CUYAH 005978560)	4/4/2014	PR1400607		DRUG DROP BOX FLYER	01A GENERAL FUND	001 GENERAL FUND		191		-		191		-		-
55	2014 Cash Disbursements (CUYAH 005978560)	4/30/2014	PR1400788		DRUG DROP BOX FLYER	01A GENERAL FUND	001 GENERAL FUND		315		-		315		-		-
56	2014 Cash Disbursements (CUYAH 005978560)	7/14/2014	CK1403814	JOHN J RUSSO	OPIATE SYMPOSIUM 6/29 6/30/14	01A GENERAL FUND	001 GENERAL FUND		-		-		164		-		164
57	2014 Cash Disbursements (CUYAH 005978560)	8/1/2014	CK1404137	ALLISYN B LEPLLA	OPIATE SUMMIT 6/29-7/1/14	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION		-		-		149		149		-
58	2014 Cash Disbursements (CUYAH 005978560)	8/1/2014	CK1404137	ALLISYN B LEPLLA	OPIATE SUMMIT 6/29-7/1/14	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION		-		-		120		120		-
59	2014 Cash Disbursements (CUYAH 005978560)	11/24/2014	PR1401907		MEDICATION ADMINISTRATION RECORD - OPIATE PROTOCOL	01A GENERAL FUND	001 GENERAL FUND		-		-		327		-		327
60	2015 Cash Disbursements (CUYAH 005984095)	3/16/2015	PR1500120		HEROIN SUMMIT FLYER	01A GENERAL FUND	001 GENERAL FUND		-		-		828		-		828
61	2015 Cash Disbursements (CUYAH 005984095)	3/16/2015	PR1500232		HEROIN FLYER	01A GENERAL FUND	001 GENERAL FUND		-		-		179		-		179
62	2015 Cash Disbursements (CUYAH 005984095)	4/16/2015	CK1502144	OACBHA FOUNDATION	INV E2719 DOLUB TRAINING OPIATES 3/30-31/15	20A SR-HLTH & COMM SERV	192 TASC HHS		-		-		160		-		160

Appendix 4.1  
Cuyahoga County  
Direct Costs - Cash Disbursement Detail

Item No.	Document Reference	Posted Date	Document Type	Vendor Name	Description	Fund	Sub-Fund	[A] [B] [C] = [A] - [B]			[D] [E] [F] = [D] - [E]		
								Identified Opioid Cost	Prescription Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost
63	2015 Cash Disbursements (CUYAH 005984095)	4/23/2015	PR1500589		DRUG DROP BOX FLYER	01A GENERAL FUND	001 GENERAL FUND	-	-	-	172	-	172
64	2015 Cash Disbursements (CUYAH 005984095)	4/23/2015	CK1502274	BRIAN J THELEN	OCCA OPIATED B THELAN	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES	-	-	-	400	-	400
65	2015 Cash Disbursements (CUYAH 005984095)	4/23/2015	CK1502274	RITAMARIE K WHITE	OCCA OPIATE R WHITE	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES	-	-	-	169	-	169
66	2015 Cash Disbursements (CUYAH 005984095)	4/23/2015	CK1502274	JOHN BRENDAN COAKLEY	OCCA OPIATES J COAKLEY	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES	-	-	-	383	-	383
67	2015 Cash Disbursements (CUYAH 005984095)	4/23/2015	CK1502275	CARLY M SCIGLIANO	OCCA OPIATES S SCIGLIANO	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES	-	-	-	429	-	429
68	2015 Cash Disbursements (CUYAH 005984095)	5/4/2015	CK1502458	VINCENT P CARAFFI	OPIATE CONF 3/30-3/31/15	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION	-	-	-	145	145	-
69	2015 Cash Disbursements (CUYAH 005984095)	5/4/2015	CK1502459	ALLISYN B LEPLA	OPATE CONF 3/30-3/31/15	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION	-	-	-	150	150	-
70	2015 Cash Disbursements (CUYAH 005984095)	5/18/2015	PR1510866		DRUG DROP BOX FLYER	01A GENERAL FUND	001 GENERAL FUND	-	-	-	102	-	102
71	2015 Cash Disbursements (CUYAH 005984095)	9/10/2015	CK1504753	ALLISYN B LEPLA	HERION ACTION AND OIPP MTG 8/7/15	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION	-	-	-	166	166	-
72	2015 Cash Disbursements (CUYAH 005984095)	12/3/2015	CK1506419	METROHEALTH MEDICAL CENTER	PROJECT DAWN SERV	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION	-	-	-	3,249	3,249	-
73	2015 Cash Disbursements (CUYAH 005984095)	12/17/2015	CK1506786	PATRICK J LAVELLE	Duty-related travel: Response to Heroin Scene A1	01A GENERAL FUND	001 GENERAL FUND	-	-	-	23	-	23
74	2015 Cash Disbursements (CUYAH 005984095)	12/17/2015	CK1506786	PATRICK J LAVELLE	Duty-related travel: Response to Heroin Scene A1	01A GENERAL FUND	001 GENERAL FUND	-	-	-	41	-	41
75	2015 Cash Disbursements (CUYAH 005984095)	12/17/2015	CK1506786	PATRICK J LAVELLE	Duty-related travel: Response to Heroin Scene A1	01A GENERAL FUND	001 GENERAL FUND	-	-	-	63	-	63
76	2016 Cash Disbursements (CUYAH 005984649)	4/25/2016	CK1602265	ALLISYN B LEPLA	HEROIN SUMMIT 3/28-3/30/16	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION	-	-	-	385	385	-
77	2016 Cash Disbursements (CUYAH 005984649)	5/16/2016	CK1602598	DUANE DESKINS	Duty-related expense: Parking 05.02.2016 - Opiate	01A GENERAL FUND	001 GENERAL FUND	-	-	-	10	-	10
78	2016 Cash Disbursements (CUYAH 005984649)	5/19/2016	CK1602657	NANCY G MCMILLEN	*2016 OPIATE CONFERENCE*	01A GENERAL FUND	001 GENERAL FUND	-	-	-	380	-	380
79	2016 Cash Disbursements (CUYAH 005984649)	5/19/2016	CK1602661	MARIA NEMEC	M NEMEC-OPIATE CONF-MAY 2016	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES	-	-	-	564	-	564
80	2016 Cash Disbursements (CUYAH 005984649)	5/19/2016	CK1602661	LORETTA RYLAND	RYLAND OPIATE CONF	21A CATEGORICAL GRANTS-OTHER	034 SMART OHIO PILOT	-	-	-	536	536	-
81	2016 Cash Disbursements (CUYAH 005984649)	5/26/2016	CK1602777	VINCENT P CARAFFI	OPIATE CONF 5/2-5/3/16	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION	-	-	-	142	142	-
82	2016 Cash Disbursements (CUYAH 005984649)	5/26/2016	CK1602777	VINCENT P CARAFFI	OPIATE CONF 5/2-5/3/16	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION	-	-	-	230	230	-
83	2016 Cash Disbursements (CUYAH 005984649)	5/26/2016	CK1602771	PATRICK M SHEPARD	P SHEPARD -OPIATE CONF	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES	-	-	-	606	-	606
84	2016 Cash Disbursements (CUYAH 005984649)	5/26/2016	CK1602771	HILARY A SCHLETER	H SCHLETER-OPIATE TRAINING	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES	-	-	-	578	-	578
85	2016 Cash Disbursements (CUYAH 005984649)	5/31/2016	CK1602824	MARTIN P MURPHY	MURPHY OPIATE CONF	20A SR-HLTH & COMM SERV	192 TASC HHS	-	-	-	602	-	602
86	2016 Cash Disbursements (CUYAH 005984649)	6/23/2016	CK1603236	MOLLY M LECKLER	M LECKLER- OPIATE CONF	20A SR-HLTH & COMM SERV	377 PROBATION SUPERVISION FEES	-	-	-	213	-	213
87	2016 Cash Disbursements (CUYAH 005984649)	9/29/2016	CK1604790	METROHEALTH MEDICAL CENTER	1-6/16 FRINGE/PROJECT DAWN	21N CATEGORICAL GRANTS-NOT IN CAFR	567 INJURY PREVENTION	-	-	-	3,304	3,304	-
88	2016 Cash Disbursements (CUYAH 005984649)	10/6/2016	CK1604973	PETER J BABULA	*2424* WEB HOSTING SOFTWARE RE LETS FACE HEROIN	01A GENERAL FUND	001 GENERAL FUND	-	-	-	90	-	90
89	2016 Cash Disbursements (CUYAH 005984649)	11/17/2016	CK1605663	PATRICK J LAVELLE	Duty-related expenses: Travel 10.04.2016 YOpoid	01A GENERAL FUND	001 GENERAL FUND	-	-	-	13	-	13
90	2017 Cash Disbursements (CUYAH 005984651)	1/12/2017	CK1700107	PETER J BABULA	*2473* WEB HOSTING FEE LETS FACE HEROIN COM INITIA	01AGENERALFUND	001GENERALFUND	-	-	-	90	-	90
91	2017 Cash Disbursements (CUYAH 005984651)	1/23/2017	CK1700252	HEISEL AND ASSOCIATES	HERICK 2 WORKSHOPS-OPIOID & ETHICS/SUPERVISION	20ASR-HLTH&COMMSERV	192TASCHHS	-	-	-	198	-	198
92	2017 Cash Disbursements (CUYAH 005984651)	2/28/2017	CK1700927	HEISEL AND ASSOCIATES	INV 855, OPIATE EPIDEMIC 3/30 AND ETHICS & SUPERVIS	20ASR-HLTH&COMMSERV	192TASCHHS	-	-	-	198	-	198
93	2017 Cash Disbursements (CUYAH 005984651)	4/13/2017	CK1701669	PETER J BABULA	*2508* WEB HOSTING FEE,Q2 2017- LETS FACE HEROIN.COM	01AGENERALFUND	001GENERALFUND	-	-	-	90	-	90
94	2017 Cash Disbursements (CUYAH 005984651)	4/27/2017	CK1701902	LORAIN COUNTY HEALTH DISTRICT	NALOXONE TRAINING	21NCATEGORICALGRANTS-NOTINCAFR	567INJURYPREVENTION	-	-	-	1,332	1,332	-

Appendix 4.1  
Cuyahoga County  
Direct Costs - Cash Disbursement Detail

Item No.	Document Reference	Posted Date	Document Type	Vendor Name	Description	Fund	Sub-Fund	[A] [B] [C] = [A] - [B]			[D] [E] [F] = [D] - [E]		
								Identified Opioid Cost	Prescription Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-County Funds	Maximum Direct Cost
95	2017 Cash Disbursements (CUYAH_005984651)	5/18/2017	CK1702329	OACBHA FOUNDATION	OPIATE CONFERENCE IN COLUMBUS OHIO FOR 7 ATTENDEES.	21ACATEGORICALGRANTS-OTHER	034SMARTOHIPILOT	-	-	-	1,750	1,750	-
96	2017 Cash Disbursements (CUYAH_005984651)	6/8/2017	CK1702687	VINCENT P CARAFFI	OPIATE MTG 5/8/17	21NCATEGORICALGRANTS-NOTINCAFR	567INJURYPREVENTION	-	-	-	26	26	-
97	2017 Cash Disbursements (CUYAH_005984651)	7/3/2017	CK1703110	VINCENT P CARAFFI	OPIOID CONF 6/12-6/13/17	21NCATEGORICALGRANTS-NOTINCAFR	567INJURYPREVENTION	-	-	-	200	200	-
98	2017 Cash Disbursements (CUYAH_005984651)	7/3/2017	CK1703110	VINCENT P CARAFFI	OPIOID CONF 6/12-6/13/17	21NCATEGORICALGRANTS-NOTINCAFR	567INJURYPREVENTION	-	-	-	150	150	-
99	2017 Cash Disbursements (CUYAH_005984651)	7/10/2017	CK1703211	MARIA NEMEC	M. NEMEC OPIATE CONF JUN 2017	20ASR-HLTH&COMMSERV	377PROBATIONSUPERVISIONFEES	-	-	-	568	-	568
100	2017 Cash Disbursements (CUYAH_005984651)	7/10/2017	CK1703212	ALLISYN B LEPLA	OPIATE CONF 6/12-6/13/17	21NCATEGORICALGRANTS-NOTINCAFR	567INJURYPREVENTION	-	-	-	328	328	-
101	2017 Cash Disbursements (CUYAH_005984651)	7/10/2017	CK1703212	ALLISYN B LEPLA	OPIATE CONF 6/12-6/13/17	21NCATEGORICALGRANTS-NOTINCAFR	567INJURYPREVENTION	-	-	-	150	150	-
102	2017 Cash Disbursements (CUYAH_005984651)	7/27/2017	CK1703541	AMANDA L WOZNIAK	A WOZNIAK-OPIATE CONF-JUNE 2017	20ASR-HLTH&COMMSERV	377PROBATIONSUPERVISIONFEES	-	-	-	367	-	367
103	2017 Cash Disbursements (CUYAH_005984651)	7/27/2017	CK1703542	STEPHANIE G GILLIAMS	S GILLIAMS-OPIATE CONF-JUN 2017	20ASR-HLTH&COMMSERV	377PROBATIONSUPERVISIONFEES	-	-	-	488	-	488
104	2017 Cash Disbursements (CUYAH_005984651)	7/27/2017	CK1703542	JEREMY S PFEIFER	J PFEIFER-OPIATE CONF-JUN 2017	20ASR-HLTH&COMMSERV	377PROBATIONSUPERVISIONFEES	-	-	-	172	-	172
105	2017 Cash Disbursements (CUYAH_005984651)	8/8/2017	JA1700375		REALIGN 2017 OPIATE CONF EXP	21ACATEGORICALGRANTS-OTHER	034SMARTOHIPILOT	-	-	-	1,594	1,594	-
106	2017 Cash Disbursements (CUYAH_005984651)	8/21/2017	CK1703956	ALLISYN B LEPLA	HEROIN TASK FORCE MTG 8/4/17	21NCATEGORICALGRANTS-NOTINCAFR	567INJURYPREVENTION	-	-	-	10	10	-
107	2017 Cash Disbursements (CUYAH_005984651)	8/24/2017	JA1700435		ADJ COST FOR VIVITRAL PROG TO APPROP GRANT	21ACATEGORICALGRANTS-OTHER	513CCA407FELONYPROGRAM	-	-	-	100,000	100,000	-
108	2017 Cash Disbursements (CUYAH_005984651)	9/7/2017	CK1704236	GREATER CLEVE SAFETY	*912017* THE OPIOID EPIDEMIC AND THE EFFECTS OF	67ASELFFUNDEDWORKERSCOMP	100	-	-	-	44	-	44
109	2017 Cash Disbursements (CUYAH_005984651)	9/7/2017	CK1704236	GREATER CLEVE SAFETY	*9172017* THE OPIOID EPIDEMIC AND EFFECTS OF USE	67ASELFFUNDEDWORKERSCOMP	100	-	-	-	22	-	22
110	2017 Cash Disbursements (CUYAH_005984651)	9/11/2017	CK1704290	CLEVELAND LAW LIBRARY ASSOCIATION	INTERLIBRARY LOAN CHARGE ON 8-21-17 METHADONE SUBS	01AGENERALFUND	001GENERALFUND	-	-	-	20	-	20
Subtotal - Division Not Known								\$ 5,485	\$ -	\$ 5,485	\$ 128,164	\$ 114,116	\$ 14,047

**Notes:**

1. "Identified Opioid Cost" represents the actual/estimated amount of a specific cost relating to opioid abuse.
2. "Prescription" represents the actual/estimated amount of the opioid abuse ("Identified Opioid Cost") relating to prescription opioid abuse.
3. "General" represents the actual/estimated amount of the opioid abuse ("Identified Opioid Cost") relating to general opioid abuse.
4. "Cost Paid by Grant(s) / Non-County Funds" represents the amount of the opioid cost paid through grants or other non-county sources. For ADAMHS Board, "Cost Paid by Grant(s) / Non-County Funds" is estimated as the "Identified Opioid Cost" × the non-county funding percentage for AoD services for the identified year. The non-county funding percentage prior to 2014 and after 2017 is not available. Therefore, for purposes of my analysis, I have assumed the non-county funding percentage for years prior to 2014 is equal to 2014 and for years after 2017 is equal to 2017. See Schedule 4.2 for further detail.
5. At this time I have not analyzed Children and Family Services. Pursuant to the Court's recent rulings, I will supplement my report to include an analysis of Children and Family Services upon receipt of the underlying case files from Plaintiffs.

HIGHLY CONFIDENTIAL

## **Appendix 5**

**Appendix 5**  
**Summit County**  
**Direct Costs**

				[A]	[B]	[C] = [A] - [B]	[D]	[E]	[F] = [D] - [E]		
				Prescription			General				
Item No.	Document Reference	Period	Cost Description	Identified Opioid Cost	Cost Paid by Grant(s) / Non-Local Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-Local Funds	Maximum Direct Cost	Notes	
Alcohol, Drug Addiction & Mental Health Services ("ADM") Board											
1	(30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, Exhibit 2 (SUMMIT_001084232 at SUMMIT_001084233)	2014-2016	Addiction Treatment & Support Capacity Expansion (includes Medication Assisted Treatment pilot programs, start up for Recovery Housing programs, Ambulatory Detox program expansion, as well as Intensive Outpatient program expansion)  • 2014: \$16,302 (Federal) \$526,476 (Local) • 2015: 640,167 (Local) • 2016: 13,563 (Local) • Total: \$16,302 (Federal) \$1,180,206 (Local)	\$ -	\$ -	\$ -	\$ 1,196,508	\$ 16,302	\$ 1,180,206		
2	Summit County Banner Accounting System (SUMMIT_002054603)	2014-2018	Fund: 20704 (Alcohol, Drug, & Mental Health) / Orgn: 5335  Expense account #47211 entitled "Opiate Task Force" • 2014: \$1,911 • 2015: 34,548 • 2016: 12,609 • 2017: 31,116 • 2018: 42,094 • Total \$122,279	-	-	-	122,279	-	122,279	• "Direct Cost (General)" also referenced at (30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, Exhibit 2.	
3	(30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, Exhibit 2 (SUMMIT_001084232 at SUMMIT_001084233)	2015-2016	DAWN Clinics • Federal & State Funding: \$85,980 (2015) • Local Funding: \$85,980 (2016)	-	-	-	171,960	85,980	85,980		
4	Summit County Banner Accounting System (SUMMIT_002054603)	2016-2018	Fund: 20704 / Orgn: 5335 (Alcohol, Drug, & Mental Health)  Expense account #47220 entitled "ATP Services." • 2016: \$105,060 • 2017: 90,077 • 2018: 603,529 Total \$798,666	-	-	-	798,666	798,666	-	• ATP (Addiction Treatment Program) and grant funding from OHMAS also referenced at pp. 107:12-111:14 of the Kimberly Patton Deposition, dated January 22, 2019 and the 2018 ADM Annual Budget Review (SUMMIT_001085282 at SUMMIT_001085323).	
5	Summit County Banner Accounting System (SUMMIT_002054603)	2015-2018	Fund: 20704 / Orgn: 5335 (Alcohol, Drug, & Mental Health)  Expense account #47212 entitled "Recovery Housing - Addiction." • 2015: \$96,200 • 2017: 45,387 • 2018: 470,541 • Total \$612,128	-	-	-	612,128	-	612,128	• Program discussed at p. 102:1-18 and 104:13-105:10 of the Kimberly Patton Deposition, dated January 22, 2019. • "Recovery Housing - Addiction" expense account has one entry in 2015 prior to ADM contracting directly with recovery housing providers in 2017. This amount recorded in 2015 has been included to be conservative.	
6	Summit County Banner Accounting System (SUMMIT_002054603)	2017-2018	Fund: 20704 / Orgn: 5335 (Alcohol, Drug, & Mental Health)  Expense account #47225 entitled "Opioid Abatement Strategies." • 2017: \$2,444,638 • 2018 YTD: 2,632,918 • Total \$5,077,556	-	-	-	5,077,556	-	5,077,556	• See SUMMIT_002079461 for an example of an invoice paid from the expense account; indicates the funds came from the local fund levy account ("Direct Cost"). • The reserve funds were used to expand treatment, education and prevention activities. See (30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 111:17-112:9 for further detail. • Cost also referenced in the "Report on Opiate Epidemic Impact" (SUMMIT_002053751).	
7	Summit County Banner Accounting System (SUMMIT_002054603)	2017-2018	Fund: 20704 / Orgn: 5335 (Alcohol, Drug, & Mental Health)  Expense account #47221 entitled "CURES Act." • Additional beds and other opiate-related initiatives.	-	-	-	643,767	643,767	-	• "Cost Paid by Grant(s) / Non-Local Funds" includes the Cures Act grant aimed at addressing the opioid crisis. Cures Act funding through ADM Annual Budget Review (SUMMIT_001085282 at SUMMIT_001085384). • See the Summit County Opiate Task Force Meeting Notes (SUMMIT_001085386) and "Report on Opiate Epidemic Impact" (SUMMIT_002053751) for further detail of the funding.	
Subtotal - ADM Board				\$ -	\$ -	\$ -	\$ 8,622,864	\$ 1,544,716	\$ 7,078,148		

**Appendix 5**  
**Summit County**  
**Direct Costs**

				[A]	[B]	[C] = [A] - [B]		[D]	[E]	[F] = [D] - [E]	
Item No.	Document Reference	Period	Cost Description	Prescription			General			Notes	
				Identified Opioid Cost	Cost Paid by Grant(s) / Non-Local Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-Local Funds	Maximum Direct Cost		
Sheriff's Office											
8	Subgrant Award Agreement, Ohio Drug Law Enforcement Application 2012  (Dept. of Public Safety 1748 at pp. 1771 to 1793)	2/1/13-1/31/14	Drug Law Enforcement Subgrant received by Summit County Drug Unit for: • Personnel: \$152,061 • Consultant/Contracts: 6,940 • Equipment: 64,712 • Supplies: 3,960 • Other Costs: <u>105,661</u> • Total: <b>\$333,333</b>	\$ 333,333	\$ 250,000	\$ 83,333	\$ -	\$ -	\$ -	• See pp. 1771-1793 for more information regarding the Ohio Drug Law Enforcement Application 2012. • See p. 1793 for the Budget Request By Resource & Cost Category for the Ohio Drug Law Enforcement Application 2012 for Summit County Drug Unit. • See p. 1771 for the Subgrant Award Agreement between Ohio Office of Criminal Justice Services, County of Summit, and Summit County Sheriff's Office (the Implementing Agency). • See p. 1777 for the Drug Unit Project Objective (Prescription Opioids). • "Cost Paid by Grant(s) / Non-Local Funds" includes a \$250,000 grant from the Ohio Office of Criminal Justice Services (see p. 1771). • "Direct Cost (Prescription)" includes \$83,333 Cash Match from Summit County Sheriff's Office (see p. 1771).	
9	Subgrant Award Agreement, Ohio Drug Law Enforcement Application 2013  (Dept. of Public Safety 1956 at pp. 2050 to 2072)	2/1/14-1/31/15	Drug Law Enforcement Subgrant received by Summit County Drug Unit for: • Personnel: \$199,522 • Consultant/Contracts: 6,940 • Equipment: 8,671 • Supplies: 3,000 • Other Costs: <u>115,200</u> • Total: <b>\$333,333</b>	333,333	250,000	83,333	-	-	-	• See pp. 2050-2072 for more information regarding the Ohio Drug Law Enforcement Application 2013. • See p. 2072 for the Budget Request By Resource & Cost Category for the Ohio Drug Law Enforcement Application 2013 for Summit County Drug Unit. • See p. 2050 for the Subgrant Award Agreement between Ohio Office of Criminal Justice Services, County of Summit, and Summit County Sheriff's Office (the Implementing Agency). • See p. 2056 for the Drug Unit Project Objective (Prescription Opioids). • "Cost Paid by Grant(s) / Non-Local Funds" includes a \$250,000 from the Ohio Office of Criminal Justice Services (see p. 2050). • "Direct Cost (Prescription)" includes \$83,333 Cash Match from Summit County Sheriff's Office (see p. 2050). • Cost also referenced at SUMMIT_001423752.	
10	Subgrant Award Agreement, Ohio Drug Law Enforcement Application 2014  (Dept. of Public Safety 2233 at pp. 2256 to 2278)	6/30/15-6/30/16	Drug Law Enforcement Subgrant received by Summit County Drug Unit for: • Personnel: \$204,679 • Consultant/Contracts: 18,940 • Supplies: 3,347 • Other Costs: <u>106,367</u> • Total: <b>\$333,333</b>	-	-	-	333,333	250,000	83,333	• See pp. 2256-278 for more information regarding the Ohio Drug Law Enforcement Application 2014. • See p. 2278 for the Budget Request By Resource & Cost Category for the Ohio Drug Law Enforcement Application 2014 for Summit County Drug Unit. • See p. 2256 for the Subgrant Award Agreement between Ohio Office of Criminal Justice Services, County of Summit, and Summit County Sheriff's Office (the Implementing Agency). • See p. 2262 for the Drug Unit Project Objective (Heroin). • "Cost Paid by Grant(s) / Non-Local Funds" includes a \$250,000 from the Ohio Office of Criminal Justice Services (see p. 2256). • "Direct Cost (General)" includes \$83,333 Cash Match from Summit County (see p. 2256). • Cost also referenced at SUMMIT_000017769.	
11	Subgrant Award Agreement, Ohio Drug Law Enforcement Application 2015  (Dept. of Public Safety 2436 at pp. 2484 to 2509)	7/1/16-6/30/17	Drug Law Enforcement Subgrant received by Summit County Drug Unit for: • Personnel: \$215,750 • Consultant/Contracts: 6,940 • Equipment: 10,514 • Supplies: 3,000 • Other Costs: <u>97,130</u> • Total: <b>\$333,333</b>	-	-	-	333,333	250,000	83,333	• See pp. 2484-2509 for more information regarding the Ohio Drug Law Enforcement Application 2015. • See p. 2509 for the Budget Request By Resource & Cost Category for the Ohio Drug Law Enforcement Application 2015 for Summit County Drug Unit. • See p. 2484 for the Subgrant Award Agreement between Ohio Office of Criminal Justice Services, County of Summit, and Summit County Sheriff's Office (the Implementing Agency). • See p. 2487 for the Drug Unit #1 Problem Statement (Heroin and Fentanyl). • "Cost Paid by Grant(s) / Non-Local Funds" includes a \$250,000 from the Ohio Office of Criminal Justice Services (see p. 2484). • "Direct Cost (General)" includes \$83,333 Cash Match from Summit County (see p. 2484).	
12	Subgrant Award Agreement, Ohio Drug Law Enforcement Application 2016  (Dept. of Public Safety 2623 at pp. 2694 to 2724)	7/1/17-6/30/18	Drug Law Enforcement Subgrant received by Summit County Drug Unit for: • Personnel: \$216,731 • Equipment: 8,900 • Supplies: 3,633 • Other Costs: <u>104,070</u> • Total: <b>\$333,333</b>	-	-	-	333,333	250,000	83,333	• See pp. 2694-2721 for more information regarding the Ohio Drug Law Enforcement Application 2016. • See p. 2719 for the Budget Request By Resource & Cost Category for the Ohio Drug Law Enforcement Application 2015 for Summit County Drug Unit. • See p. 2720 for the Subgrant Award Agreement between Ohio Office of Criminal Justice Services, County of Summit, and Summit County Sheriff's Office (the Implementing Agency). • See p. 2696 for the Drug Unit #1 Problem Statement (Heroin and Fentanyl). • "Cost Paid by Grant(s) / Non-Local Funds" includes a \$250,000 from the Ohio Office of Criminal Justice Services (see p. 2720). • "Direct Cost (General)" includes \$83,333 Cash Match from Summit County (see p. 2720).	



**Appendix 5**  
**Summit County**  
**Direct Costs**

				[A]	[B]	[C] = [A] - [B]	[D]	[E]	[F] = [D] - [E]	
				Prescription			General			
Item No.	Document Reference	Period	Cost Description	Identified Opioid Cost	Cost Paid by Grant(s) / Non-Local Funds	Maximum Direct Cost	Identified Opioid Cost	Cost Paid by Grant(s) / Non-Local Funds	Maximum Direct Cost	Notes
13	Ohio Drug Law Enforcement Application 2016  (Dept. of Public Safety at pp. 2668 to 2693)	10/1/17-9/30/18	Drug Law Enforcement Subgrant received by Summit County Drug Unit for: • Personnel: \$62,500 • Consultant/Contracts: 28,560 • Supplies: 33,077 • Total: \$124,137	-	-	-	124,137	93,103	31,034	• See pp. 2668-2693 for more information regarding the Ohio Drug Law Enforcement Application 2016. • See p. 2693 for the Budget Request By Resource & Cost Category for the Ohio Drug Law Enforcement Application 2016 for Summit County Drug Unit. • See p. 2670 for the Drug Unit #1 Problem Statement (Heroin and Fentanyl). • "Cost Paid by Grant(s) / Non-Local Funds" includes a \$93,103 grant from the Ohio Office of Criminal Justice Services (see p. 2668). • "Direct Cost (General)" includes \$31,034 Cash Match from Summit County (see p. 2668).
Subtotal - Sheriff's Office				\$ 666,667	\$ 500,000	\$ 166,667	\$ 1,124,137	\$ 843,103	\$ 281,034	
County Jail										
14	Deposition of Shane Barker dated November 28, 2018, pp. 111:9-18, 114:12-115:7, 237:10-240:2, and 304:11-305:6.	2017	Purchase of a body scanner by the Jail in response to the opioid crisis.	\$ -	\$ -	\$ -	\$ 237,990	\$ -	\$ 237,990	• See Resolution No. 2017-254 for the "Direct Cost" amount of the body scanner mentioned in the Deposition of Shane Barker, dated November 28, 2018 ( <a href="https://council.summitoh.net/index.php/legislative-information/legislation/2017/finish/131/8689">https://council.summitoh.net/index.php/legislative-information/legislation/2017/finish/131/8689</a> ).
Subtotal - County Jail				\$ -	\$ -	\$ -	\$ 237,990	\$ -	\$ 237,990	
Medical Examiner										
15	Summit County Banner Accounting System (SUMMIT_002054603)	2016-2018	General fund transfers made to the Coroner's Lab. These transfers account for any specific direct costs paid for by the Coroner's Lab, which may have included: • Hiring of an additional investigator due to high caseloads • New piece of lab equipment • Increase in body removal contract (doubled from \$25,000 to \$50,000)  2017: \$155,766 2018: 240,000 Total \$395,766	\$ -	\$ -	\$ -	\$ 395,766	\$ -	\$ 395,766	• "Identified Opioid Cost" includes amounts sourced from the "transfers in" revenue line item for the Coroner's Lab Fund [Account #19999 entitled "Transfers In." Fund: Coroner's Lab (28625) / Organization: Medical Examiner – Lab (3110)]. See SUMMIT_002054603 for further detail. • See the Summit County 2018 Operating Budget for discussion of transfers from the General Fund to the Coroner's Lab Fund (SUMMIT_000008414 at SUMMIT_000008457). • See (30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 127:24-128:17 for more information regarding supplementing the medical examiner's budget. • See (30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 137:21-139:5 for more information regarding the hiring of an additional investigator due to high caseloads. • See (30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 132:22-133:20 for more information regarding the new piece of lab equipment. • See (30)(b)(6) deposition of Brian Nelsen dated January 24, 2019, pp. 131:4-6 for more information regarding the increase in the body removal contract.
16	Narrative in Support of Opioid Crisis Costs - County of Summit Medical Examiner (SUMMIT_000030830)	Approx. 2016	Hiring of 4 Locum Tenens doctors to assist with the caseload.	-	-	-	83,250	-	83,250	• Lisa Kohler (Chief Medical Examiner) created the "Narrative in Support of Opioid Crisis Costs, County of Summit Medical Examiner," which discusses costs at the Medical Examiner's office, including the amount spent on Locum Tenens doctors. See Deposition of Lisa Kohler, dated July 31, 2018, p. 277:7-18, for further detail.
Subtotal - Medical Examiner				\$ -	\$ -	\$ -	\$ 479,016	\$ -	\$ 479,016	
Total				\$ 666,667	\$ 500,000	\$ 166,667	\$ 10,464,007	\$ 2,387,818	\$ 8,076,188	

**Notes:**

1. "Identified Opioid Cost" represents the actual/estimated amount of a specific cost relating to opioid abuse.
2. "Prescription" represents the actual/estimated amount of the opioid abuse ("Identified Opioid Cost") relating to prescription opioid abuse.
3. "General" represents the actual/estimated amount of the opioid abuse ("Identified Opioid Cost") relating to non-prescription opioid abuse.
4. "Cost Paid by Grant(s) / Non-County Funds" represents the amount of the opioid cost paid through grants or non-county funds.
4. At this time I have not analyzed Children Services. Pursuant to the Court's recent rulings, I will supplement my report to include an analysis of Children Services upon receipt of the underlying case files from Plaintiffs.

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## **Appendix 6**

## Appendix 6

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**Cuyahoga County**  
**Affected Divisions**  
**Comparison Between Budgeted and Actual Expenditures**

<b>Division</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>Total</b>
<b>Alcohol, Drug and Mental Health Board (a)</b>							
Budgeted	\$ 190,617,024	\$ 71,988,435	\$ 80,830,669	\$ 76,928,007	\$ 70,858,602	\$ 78,274,370	\$ 569,497,107
Actual	211,063,863	61,348,208	58,657,836	64,216,810	67,877,533	74,004,592	537,168,842
Difference between Budgeted and Actual	(20,446,839)	10,640,227	22,172,833	12,711,197	2,981,069	4,269,778	32,328,265
<b>Children and Family Services (b)</b>							
Budgeted	192,336,659	186,639,023	168,780,642	179,504,242	161,727,628	165,306,333	1,054,294,527
Actual	185,606,924	159,028,202	167,763,793	167,385,908	156,938,741	162,576,928	999,300,496
Difference between Budgeted and Actual	6,729,735	27,610,821	1,016,849	12,118,334	4,788,887	2,729,405	54,994,031
<b>Public Defender</b>							
Budgeted	7,723,456	8,100,977	9,210,861	9,836,652	10,087,599	10,445,338	55,404,883
Actual	7,912,518	7,499,216	8,831,622	9,922,539	9,907,204	10,437,578	54,510,677
Difference between Budgeted and Actual	(189,062)	601,761	379,239	(85,887)	180,395	7,760	894,206
<b>Court of Common Pleas &amp; Prosecutor (c)</b>							
Budgeted	86,217,740	89,023,006	96,021,220	99,893,125	100,569,127	102,793,384	574,517,602
Actual	85,434,186	88,050,574	93,367,875	98,228,368	99,203,058	101,855,708	566,139,769
Difference between Budgeted and Actual	783,554	972,432	2,653,345	1,664,757	1,366,069	937,676	8,377,833
<b>Juvenile Court</b>							
Budgeted	34,585,500	33,443,364	34,948,277	35,985,210	34,592,167	38,124,037	211,678,555
Actual	38,698,550	30,491,948	34,919,799	35,398,838	34,180,507	37,811,412	211,501,054
Difference between Budgeted and Actual	(4,113,050)	2,951,416	28,478	586,372	411,660	312,625	177,501
<b>Sheriff</b>							
Budgeted	82,907,500	84,973,558	92,160,507	101,378,837	92,225,969	98,209,620	551,855,991
Actual	83,685,855	88,176,562	91,361,729	98,890,448	91,816,387	96,608,656	550,539,637
Difference between Budgeted and Actual	(778,355)	(3,203,004)	798,778	2,488,389	409,582	1,600,964	1,316,354
<b>Medical Examiner</b>							
Budgeted	8,416,164	8,330,736	6,009,346	6,364,148	6,122,349	6,582,165	41,824,908
Actual	7,598,694	6,595,908	5,740,203	6,240,468	6,119,032	6,311,152	38,605,457
Difference between Budgeted and Actual	817,470	1,734,828	269,143	123,680	3,317	271,013	3,219,451
<b>Total Budgeted</b>	<b>\$ 602,804,043</b>	<b>\$ 482,499,099</b>	<b>\$ 487,961,522</b>	<b>\$ 509,890,221</b>	<b>\$ 476,183,441</b>	<b>\$ 499,735,247</b>	<b>\$ 3,059,073,573</b>
<b>Total Actual</b>	<b>620,000,590</b>	<b>441,190,618</b>	<b>460,642,857</b>	<b>480,283,379</b>	<b>466,042,462</b>	<b>489,606,026</b>	<b>2,957,765,932</b>
<b>Difference</b>	<b>\$ (17,196,547)</b>	<b>\$ 41,308,481</b>	<b>\$ 27,318,665</b>	<b>\$ 29,606,842</b>	<b>\$ 10,140,979</b>	<b>\$ 10,129,221</b>	<b>\$ 101,307,641</b>

**Notes:**

- (a) In 2012, Alcohol, Drug and Mental Health Board reported budgeted and actual expenditures for the time period July 1, 2011 through December 31, 2012. Expenditures for all other years are reported on a calendar year basis.
- (b) Child and Family Services expenditures are held in various funds. The amounts above are the addition of the Children and Family Services in General, Children and Family Services in Human Services and the Children Services "Total Expenditures". The Human Services section includes expenditures unrelated to Children and Family Services.
- (c) Court of Common Pleas & Prosecutor Expenditures are the total Judicial Expenditures from the General Fund minus Juvenile Court, Sheriff, Clerk of Courts, Medical Examiner, Probate Court, and Public Defender expenditures.

**Sources:**

- (1) Cuyahoga Single Audits and CAFRs for 2012, pp. 150-154, 161, 169, 171, and 177; 2013, pp. 153-157, 163, 172, and 178-179; 2014, pp. 159-163, 168, 173, 175, and 181; 2015, pp. 182-187, 192, 198, 206, and 246; 2016, pp. 191-195, 200, 206, 215, and 254; and 2017, pp. 202-207, 211, 217, 224, and 259.

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## **Appendix 7**

## Appendix 7

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## Summit County

Comparison Between Budgeted and Actual Expenditures  
Affected Divisions

Divisions	2012	2013	2014	2015	2016	2017	Total
<b>Children Services Board</b>							
Budgeted	\$ 47,681,533	\$ 47,534,022	\$ 47,037,084	\$ 49,425,907	\$ 47,980,405	\$ 51,914,589	\$ 291,573,540
Actual	44,115,106	44,437,105	44,593,033	47,077,253	48,261,350	47,960,149	276,443,996
Difference between Budgeted and Actual	3,566,427	3,096,917	2,444,051	2,348,654	(280,945)	3,954,440	15,129,544
<b>Alcohol, Drug &amp; Mental Health Board</b>							
Budgeted	63,650,525	45,633,059	45,074,052	44,558,153	44,767,316	47,729,340	291,412,445
Actual	60,626,572	42,708,951	38,666,818	39,599,726	42,560,356	45,430,368	269,592,791
Difference between Budgeted and Actual	3,023,953	2,924,108	6,407,234	4,958,427	2,206,960	2,298,972	21,819,654
<b>Jail</b>							
Budgeted	18,956,800	19,326,900	19,523,900	21,256,960	20,994,600	21,547,100	121,606,260
Actual	18,917,393	19,318,592	20,174,457	20,993,703	21,472,242	21,525,675	122,402,062
Difference between Budgeted and Actual	39,407	8,308	(650,557)	263,257	(477,642)	21,425	(795,802)
<b>Juvenile Court</b>							
Budgeted	8,155,100	8,210,500	8,251,100	8,562,530	8,780,100	9,022,700	50,982,030
Actual	8,190,592	8,357,033	8,596,248	8,792,304	8,944,809	9,198,130	52,079,116
Difference between Budgeted and Actual	(35,492)	(146,533)	(345,148)	(229,774)	(164,709)	(175,430)	(1,097,086)
<b>Sheriff</b>							
Budgeted	9,176,900	9,644,500	9,499,400	8,952,350	9,092,900	9,214,800	55,580,850
Actual	9,432,637	9,223,696	8,468,174	9,047,430	8,864,611	9,663,668	54,700,216
Difference between Budgeted and Actual	(255,737)	420,804	1,031,226	(95,080)	228,289	(448,868)	880,634
<b>Court of Common Pleas</b>							
Budgeted	5,002,200	5,485,200	5,515,100	5,817,140	5,806,700	6,006,900	33,633,240
Actual	4,993,887	5,442,602	5,627,125	5,812,800	5,782,474	5,968,634	33,627,522
Difference between Budgeted and Actual	8,313	42,598	(112,025)	4,340	24,226	38,266	5,718
<b>Alternative Corrections</b>							
Budgeted	5,423,600	5,423,600	5,600,600	5,654,600	5,748,700	5,921,100	33,772,200
Actual	5,320,118	5,437,437	5,489,833	5,581,202	5,863,722	5,921,097	33,613,409
Difference between Budgeted and Actual	103,482	(13,837)	110,767	73,398	(115,022)	3	158,791
<b>Prosecutor</b>							
Budgeted	5,189,700	5,377,500	5,430,600	5,696,590	5,611,600	5,743,400	33,049,390
Actual	5,174,811	5,403,544	5,382,460	5,593,787	5,522,623	5,774,462	32,851,687
Difference between Budgeted and Actual	14,889	(26,044)	48,140	102,803	88,977	(31,062)	197,703
<b>Adult Probation</b>							
Budgeted	3,508,200	3,781,800	3,804,000	3,929,650	3,728,500	3,776,000	22,528,150
Actual	3,508,200	3,608,819	3,665,793	3,839,968	3,671,250	3,663,144	21,957,174
Difference between Budgeted and Actual	-	172,981	138,207	89,682	57,250	112,856	570,976
<b>Medical Examiner</b>							
Budgeted	1,665,600	1,681,900	1,707,000	1,830,380	1,716,500	1,788,600	10,389,980
Actual	1,661,714	1,677,847	1,700,877	1,825,301	1,589,581	1,824,674	10,279,994
Difference between Budgeted and Actual	3,886	4,053	6,123	5,079	126,919	(36,074)	109,986
<b>Total Budgeted</b>	<b>\$ 168,410,158</b>	<b>\$ 152,098,981</b>	<b>\$ 151,442,836</b>	<b>\$ 155,684,260</b>	<b>\$ 154,227,321</b>	<b>\$ 162,664,529</b>	<b>\$ 944,528,085</b>
<b>Total Actuals</b>	<b>161,941,030</b>	<b>145,615,626</b>	<b>142,364,818</b>	<b>148,163,474</b>	<b>152,533,018</b>	<b>156,930,001</b>	<b>907,547,967</b>
<b>Difference</b>	<b>\$ 6,469,128</b>	<b>\$ 6,483,355</b>	<b>\$ 9,078,018</b>	<b>\$ 7,520,786</b>	<b>\$ 1,694,303</b>	<b>\$ 5,734,528</b>	<b>\$ 36,980,118</b>

## Source:

- (1) Summit Operating Budgets for 2012, pp. 38, 41-42; 2013, pp. 63-65; 2014, pp. 61-63; 2015, pp. 48-53; 2016, pp. 48-53; and 2017, pp. 50-55.  
(2) Banner Accounting System (SUMMIT\_002054603).

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## **Appendix 8**

## Appendix 8

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Cuyahoga and Summit Counties  
McGuire's Total Affected Costs

Affected Costs (\$ Millions)	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total (a)	% of Total
Total Compensation Cost	\$220.0	\$226.8	\$239.4	\$230.1	\$231.1	\$229.3	\$228.4	\$234.4	\$243.2	\$255.7	\$255.6	\$268.3	\$2,862.0	70%
Total Non-Compensation Cost	\$113.6	\$115.1	\$115.2	\$109.5	\$103.0	\$106.4	\$101.7	\$95.7	\$97.5	\$99.7	\$98.5	\$98.7	\$1,254.4	30%
<b>Total Affected Costs</b>	<b>\$333.5</b>	<b>\$341.9</b>	<b>\$354.6</b>	<b>\$339.6</b>	<b>\$334.1</b>	<b>\$335.7</b>	<b>\$330.0</b>	<b>\$330.1</b>	<b>\$340.6</b>	<b>\$355.4</b>	<b>\$354.1</b>	<b>\$367.0</b>	<b>\$4,116.5</b>	<b>100%</b>

**General Note:**

- Amounts related to the ADAMHS and ADM Boards have not been included in this analysis due to McGuire only identifying the county contribution to the Boards and not the Affected Compensation and Non-Compensation Costs.
- Offsets to Affected Costs have been included in divisions/years identified by McGuire.

**Note:**

(a) Totals differ from McGuire's Total Affected Costs Tables (Tables IV.7 and IV.8) because 2018 amounts are not included above. 2018 amounts in McGuire's Appendices did not provide a breakout between Compensation and Non-Compensation Affected Costs. ADM/ADAMHS is also excluded from the analysis above.

**Sources:**

- (1) McGuire Appendices IV.C-2.1, 3.1, 4.1, 5.1, 6.1, 7.1, 8.1, 9.1.
- (2) McGuire Appendices IV.D-2.1, 3.1, 4.1, 5.1, 6.1, 7.1, 8.1, 9.1, 10.1.



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## **Appendix 9**

## Appendix 9

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Cuyahoga County  
Children & Family Services  
Offset of Title IV-E Funds

McGuire's Damages for Cuyahoga County Children and Family Services under Approach 1														
\$ Millions	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Total Costs	\$168.39	\$177.37	\$186.72	\$165.33	\$154.41	\$144.98	\$140.86	\$133.40	\$135.93	\$140.51	\$148.95	\$138.88	\$146.90	\$1,982.61
Total Compensation Costs	\$61.85	\$65.17	\$66.61	\$61.48	\$59.05	\$56.91	\$54.77	\$54.06	\$53.63	\$55.95	\$56.75	\$59.47		
Overhead Adjustment	85.7%	85.4%	85.3%	84.8%	85.4%	85.5%	84.8%	86.3%	87.2%	85.4%	85.6%	85.9%		
Affected Compensation Costs	\$53.01	\$55.65	\$56.84	\$52.13	\$50.45	\$48.64	\$46.43	\$46.63	\$46.75	\$47.77	\$48.56	\$51.10		
Affected Non-Compensation Costs	\$74.46	\$73.32	\$73.17	\$68.24	\$60.15	\$64.62	\$62.34	\$56.56	\$55.87	\$56.56	\$54.62	\$56.81		
Offset to Affected Compensation Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Offset to Affected Non-Compensation Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Total Affected Costs	\$127.47	\$128.97	\$130.01	\$120.37	\$110.60	\$113.27	\$108.77	\$103.19	\$102.62	\$104.33	\$103.18	\$107.91	\$114.15	\$1,474.83
Opioid-Related % of Custodies	4.5%	5.4%	6.2%	7.0%	7.4%	7.3%	7.2%	8.8%	10.1%	11.0%	14.9%	15.7%		
Approach 1 - Damages from Defendants' Misconduct - Direct Shipments Regression Method														
Harms Due to Defendants' Misconduct (direct)	21.1%	22.3%	23.3%	24.4%	25.9%	27.9%	33.0%	37.4%	41.5%	45.4%	47.7%	47.7%		
Damages from Defendants' Misconduct (direct)	\$1.21	\$1.54	\$1.87	\$2.06	\$2.11	\$2.31	\$2.60	\$3.41	\$4.30	\$5.21	\$7.34	\$8.09	\$8.56	\$50.62
Damages as a % of Total Costs	0.7%	0.9%	1.0%	1.2%	1.4%	1.6%	1.8%	2.6%	3.2%	3.7%	4.9%	5.8%	5.8%	

McGuire's Damages for Cuyahoga County Children Services under Approach 1 - <i>ADJUSTED</i> for Title IV-E Funds														
<i>\$ Millions</i>	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Total Costs	\$168.39	\$177.37	\$186.72	\$165.33	\$154.41	\$144.98	\$140.86	\$133.40	\$135.93	\$140.51	\$148.95	\$138.88	\$146.90	\$628.59
Total Compensation Costs	\$61.85	\$65.17	\$66.61	\$61.48	\$59.05	\$56.91	\$54.77	\$54.06	\$53.63	\$55.95	\$56.75	\$59.47		
Overhead Adjustment	85.7%	85.4%	85.3%	84.8%	85.4%	85.5%	84.8%	86.3%	87.2%	85.4%	85.6%	85.9%		
Affected Compensation Costs	\$53.01	\$55.65	\$56.84	\$52.13	\$50.45	\$48.64	\$46.43	\$46.63	\$46.75	\$47.77	\$48.56	\$51.10		
Affected Non-Compensation Costs	\$74.46	\$73.32	\$73.17	\$68.24	\$60.15	\$64.62	\$62.34	\$56.56	\$55.87	\$56.56	\$54.62	\$56.81		
Offset to Affected Compensation Costs														
Offset to Affected Non-Compensation Costs	\$(52.13)	\$(51.30)	\$(47.90)	\$(44.37)	\$(37.46)	\$(45.30)	\$(36.77)	\$(36.99)	\$(30.70)	\$(31.70)	\$(29.58)	\$(34.34)		\$(478.54)
Total Affected Costs	\$75.34	\$77.67	\$82.10	\$76.00	\$73.14	\$67.96	\$72.01	\$66.20	\$71.91	\$72.63	\$73.61	\$73.57	\$77.82	\$959.96
Opioid-Related % of Custodies	4.5%	5.4%	6.2%	7.0%	7.4%	7.3%	7.2%	8.8%	10.1%	11.0%	14.9%	15.7%		
Approach 1 - Damages from Defendants' Misconduct - Direct Shipments Regression Method														
Harms Due to Defendants' Misconduct (direct)	21.1%	22.3%	23.3%	24.4%	25.9%	27.9%	33.0%	37.4%	41.5%	45.4%	47.7%	47.7%		
Damages from Defendants' Misconduct (direct)	\$0.72	\$0.93	\$1.18	\$1.30	\$1.40	\$1.39	\$1.72	\$2.19	\$3.01	\$3.63	\$5.24	\$5.51	\$5.83	\$34.05
Damages as a % of Total Costs	0.4%	0.5%	0.6%	0.8%	0.9%	1.0%	1.2%	1.6%	2.2%	2.6%	3.5%	4.0%	4.0%	

**General Note:**

- Title IV-E funds provide reimbursement for both compensation and non-compensation costs.

**Source:**

- (1) McGuire Appendix IV.C-2.1  
(2) CUYAH\_001714459

Difference	\$16.6
% Reduction	33%

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## **Appendix 10**

## Appendix 10

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Summit County  
Children Services  
Offset of Title IV-E Funds

McGuire's Damages for Summit County Children Services under Approach 1														
\$ Millions	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Total Costs	\$51.16	\$50.92	\$50.58	\$49.87	\$50.37	\$47.11	\$44.12	\$44.44	\$44.59	\$47.08	\$48.26	\$47.96	\$52.13	\$628.59
Total Compensation Costs	\$26.71	\$25.88	\$27.38	\$27.59	\$31.07	\$27.34	\$25.06	\$26.92	\$27.19	\$28.18	\$28.61	\$28.36		
Overhead Adjustment	72.8%	72.8%	78.7%	78.5%	80.1%	79.7%	80.0%	79.7%	80.4%	79.9%	81.0%	78.7%		
Affected Compensation Costs	\$19.45	\$18.84	\$21.56	\$21.65	\$24.89	\$21.79	\$20.05	\$21.47	\$21.87	\$22.52	\$23.17	\$22.33		
Affected Non-Compensation Costs	\$20.32	\$20.93	\$20.19	\$19.06	\$17.95	\$17.24	\$15.26	\$15.73	\$15.40	\$16.56	\$17.61	\$17.30		
Offset to Affected Compensation Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Offset to Affected Non-Compensation Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
Total Affected Costs	\$39.77	\$39.77	\$41.75	\$40.72	\$42.84	\$39.03	\$35.31	\$37.20	\$37.26	\$39.08	\$40.77	\$39.63	\$43.07	\$516.21
Opioid-Related % of Custodies	4.4%	5.1%	6.5%	8.8%	22.0%	21.2%	23.3%	24.7%	24.1%	25.0%	30.3%	27.0%		
Approach 1 - Damages from Defendants' Misconduct - Direct Shipments Regression Method														
Harms Due to Defendants' Misconduct (direct)	21.1%	22.3%	23.3%	24.4%	25.9%	27.9%	33.0%	37.4%	41.5%	45.4%	47.7%	47.7%		
Damages from Defendants' Misconduct (direct)	\$0.36	\$0.45	\$0.63	\$0.88	\$2.44	\$2.31	\$2.71	\$3.43	\$3.73	\$4.44	\$5.89	\$5.11	\$5.55	\$37.94
Damages as a % of Total Costs	0.7%	0.9%	1.2%	1.8%	4.8%	4.9%	6.1%	7.7%	8.4%	9.4%	12.2%	10.6%	10.6%	

McGuire's Damages for Summit County Children Services under Approach 1 -ADJUSTED for Title IV-E Funds														
\$ Millions	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Total Costs	\$51.16	\$50.92	\$50.58	\$49.87	\$50.37	\$47.11	\$44.12	\$44.44	\$44.59	\$47.08	\$48.26	\$47.96	\$52.13	\$628.59
Total Compensation Costs	\$26.71	\$25.88	\$27.38	\$27.59	\$31.07	\$27.34	\$25.06	\$26.92	\$27.19	\$28.18	\$28.61	\$28.36		
Overhead Adjustment	72.8%	72.8%	78.7%	78.5%	80.1%	79.7%	80.0%	79.7%	80.4%	79.9%	81.0%	78.7%		
Affected Compensation Costs	\$19.45	\$18.84	\$21.56	\$21.65	\$24.89	\$21.79	\$20.05	\$21.47	\$21.87	\$22.52	\$23.17	\$22.33		
Affected Non-Compensation Costs	\$20.32	\$20.93	\$20.19	\$19.06	\$17.95	\$17.24	\$15.26	\$15.73	\$15.40	\$16.56	\$17.61	\$17.30		
Offset to Affected Compensation Costs	\$ (15.33)	\$ (14.34)	\$ (14.72)	\$ (12.50)	\$ (16.82)	\$ (14.37)	\$ (9.67)	\$ (12.84)	\$ (11.24)	\$ (9.80)	\$ (12.44)	\$ (13.00)		\$ (157.08)
Offset to Affected Non-Compensation Costs														
Total Affected Costs	\$24.43	\$25.44	\$27.03	\$28.22	\$26.02	\$24.66	\$25.64	\$24.36	\$26.02	\$29.28	\$28.33	\$26.63	\$28.94	\$345.00
Opioid-Related % of Custodies	4.4%	5.1%	6.5%	8.8%	22.0%	21.2%	23.3%	24.7%	24.1%	25.0%	30.3%	27.0%		
Approach 1 - Damages from Defendants' Misconduct - Direct Shipments Regression Method														
Harms Due to Defendants' Misconduct (direct)	21.1%	22.3%	23.3%	24.4%	25.9%	27.9%	33.0%	37.4%	41.5%	45.4%	47.7%	47.7%		
Damages from Defendants' Misconduct (direct)	\$0.22	\$0.29	\$0.41	\$0.61	\$1.48	\$1.46	\$1.97	\$2.25	\$2.60	\$3.32	\$4.09	\$3.43	\$3.73	\$25.87
Damages as a % of Total Costs	0.4%	0.6%	0.8%	1.2%	2.9%	3.1%	4.5%	5.1%	5.8%	7.1%	8.5%	7.2%	7.2%	

General Note:

- Title IV-E funds provide reimbursement for both compensation and non-compensation costs.

Source:

- (1) McGuire Appendix IV.D-2.1  
(2) SUMMIT\_002054603

Difference	\$12.1
% Reduction	32%

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## **Appendix 11**

**Appendix 11**

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**Abatement Experts Treatment and Prevention Proposals and Programs**

Proposed Program Category	Alexander	Keyes	Liebman	Lembke	Wexelblatt	Young
Medication Assisted Treatment	X	X	X	X	X	X
Other Treatment	X		X	X		
Criminal Justice Programs / Jails	X		X			X
Media Campaigns	X		X		X	
Naloxone Distribution	X	X	X	X		
Programs for Adolescents and Young Adults	X		X		X	
Medical Professional Education and Guidance	X		X	X	X	X
Pregnant Women/Neonatal Care and Treatment	X		X		X	X
Programs for Foster Care / Protective Services	X					X
Drug Disposal and Needle Exchange Programs	X		X	X		
Surveillance	X		X			
Fentanyl Testing	X	X				
Prescription Drug Monitoring Programs	X					
Research	X					
Law Enforcement Programs	X		X			

**Sources:**

- 
- (1) *See* Alexander Report.  
(2) *See* Keyes Report  
(3) *See* Liebman Report.  
(4) *See* Lembke Report  
(5) *See* Wexelblatt Report.  
(6) *See* Young Report.

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## **Appendix 12**



## Appendix 12

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Cuyahoga County  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Cuyahoga County	Programs/Services Provided	Funded By	Sources
<b>Treatment</b>				
	Alcohol, Drug Addiction & Mental Health Services ("ADAMHS")	Administers/oversees a variety of substance abuse programs county-wide	Multiple Sources (Federal, State, Local)	<a href="http://www.adamhscc.org/">http://www.adamhscc.org/</a>
	MetroHealth System	Various healthcare services, including hospital care <i>MetroHealth System is a non-profit, public health care system located in Cleveland.</i>	Multiple Sources (Federal, State, Local)	<a href="https://www.metrohealth.org/foundation/publications/foundation-annual-report">https://www.metrohealth.org/foundation/publications/foundation-annual-report</a> Cuyahoga County Board of Health Program Narrative (CUYAH_013470244)
	Veterans Administration Hospital	-Alcoholics Anonymous (AA) -Medication Assisted Treatment (MAT)	Funded in part by ADAMHS	Cuyahoga County Board of Health Program Narrative (CUYAH_013470244)
	St. Vincent Charity Medical Center (Rosary Hall)	-Intake Services -Medical Evaluations and Ongoing Assessments -Medical Stabilization and Acute Care Detoxification -Intensive Outpatient -Individual Counseling -Aftercare -Family Program -Case-managed Transition into Community -Medication-Assisted Treatment	ADAMHS Board through Multiple Sources (Federal, State, Local)	<a href="https://www.stvincentcharity.com/services-centers/behavioral-health-addiction-medicine/addiction-medicine-rosary-hall/">https://www.stvincentcharity.com/services-centers/behavioral-health-addiction-medicine/addiction-medicine-rosary-hall/</a> Cuyahoga County Board of Health Program Narrative (CUYAH_013470244)
	Salvation Army of Greater Cleveland Harbor Light	-Detoxification -Intensive Outpatient	Funded in part by ADAMHS	<a href="https://neo.salvationarmy.org/northeastohio/HarborLightPS">https://neo.salvationarmy.org/northeastohio/HarborLightPS</a>
	Recovery Resources	-Intensive Outpatient Treatment -Partial Hospitalization -Women and Family Services Intensive Outpatient Treatment -Non-Intensive Outpatient Treatment -Case Management -MAT is available for clients who meet criteria for opiate use disorder combined with Intensive Outpatient Opiate Specific treatment 4 days each week.	Funded in part by ADAMHS	<a href="https://www.recres.org/ManagedFiles/2019%20Service%20Directory.pdf">https://www.recres.org/ManagedFiles/2019%20Service%20Directory.pdf</a>
	Community Assessment and Treatment Services (CATS)	-Outpatient Treatment -Residential Treatment -Assessment -Group and Individual Counseling -Case Management -Drug Testing	Partnered with ADAMHS, Ohio Department of Rehabilitation & Correction, CARF, and more.	<a href="http://communityassessment.org/">http://communityassessment.org/</a>
	Stella Maris Detox Program	-Detox services -MAT (Vivitrol) -Other drug rehabilitation services.	Contracts with U.S. Probation and Pretrial Services, Veterans Admin, ADAMHS, Homeless Services and Lorain County Alcohol and Drug Addiction Services	<a href="https://stellamariscleveland.com/services/">https://stellamariscleveland.com/services/</a>
	Cleveland Clinic Lutheran Hospital Alcohol and Drug Recovery Center	Comprehensive 12-step drug rehabilitation program	Funded in part by ADAMHS	<a href="https://my.clevelandclinic.org/locations/lutheran-hospital/specialties/alcohol-and-drug-recovery-center">https://my.clevelandclinic.org/locations/lutheran-hospital/specialties/alcohol-and-drug-recovery-center</a>

## Appendix 12

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Cuyahoga County  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Cuyahoga County	Programs/Services Provided	Funded By	Sources
<b>Treatment (continued)</b>				
	Hitchcock Center for Women, Inc	-Residential treatment for women and allows them to bring multiple children (up to age 12) -Intensive Outpatient Treatment with or without Housing Support -Outpatient Services	Funded in part by ADAMHS	<a href="http://hcfw.org/our-services/treatment/">http://hcfw.org/our-services/treatment/</a>
	ORCA House	-Men's and Women's Residential Program -Intensive Outpatient Program -Aftercare Program	Funded in part by ADAMHS	<a href="http://www.orcahouse.org/index.php/programs">http://www.orcahouse.org/index.php/programs</a>
	New Directions	-Recovery Housing -Non-intensive Outpatient Program -Intensive Outpatient Program -Residential for Dual Diagnosis Conditions -Case Management -Group, Individual, and Family Counseling	Funded in part by ADAMHS	<a href="http://newdirections.co/treatment-services/">http://newdirections.co/treatment-services/</a>
	Community Action Against Addiction	-Medication Assisted Treatment -Counseling -Transitional Housing	Funded in part by ADAMHS	<a href="https://www.caaaddiction.org/">https://www.caaaddiction.org/</a>
	Catholic Charities	Clinically managed low-intensity residential services (MAT)	ADAMHS Board (CURES Act)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	Cleveland Treatment Center	Clinically managed low-intensity residential services (MAT)	ADAMHS Board (CURES Act)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	Cleveland Treatment Center	-Assessment -Medical Evaluation/Social -Individual and Group Counseling -Crisis Intervention -Vocational Rehabilitation -Case Management	Multiple Sources (Federal, State, Local)	<a href="http://www.clevelandtreatmentcenter.org/about.htm">http://www.clevelandtreatmentcenter.org/about.htm</a>
	Cleveland Comprehensive Treatment Center	-MAT (Methadone and Suboxone) -Counseling Services	Unknown - part of Ohio Comprehensive Treatment Centers	<a href="https://www.ohioctc.com/location/cleveland/">https://www.ohioctc.com/location/cleveland/</a>
	Community Action Against Addiction	MAT (Methadone)	ADAMHS Board (CURES Act)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	Ascent	Peer Support MetroHealth ED - The program connects overdose survivors with peer support, a warm hand off to treatment if they agree and follow-up services to aid them in recovery	ADAMHS Board (CURES Act)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>

## Appendix 12

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Cuyahoga County  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Cuyahoga County	Programs/Services Provided	Funded By	Sources
Treatment (continued)				
	Woodrow Project	Certified Peer Recovery Supporter Recovery Housing	ADAMHS Board (CURES Act)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	I'm in Transition	Certified Peer Recovery Support Recovery Housing	ADAMHS Board (CURES Act)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	Visiting Nurse Association	Ambulatory Withdrawal Management Services	ADAMHS Board (CURES Act)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	The Recovery Village	-Medication-Assisted Treatment -Inpatient Rehab -Intensive Outpatient -Outpatient Rehab -Aftercare for Drug Addiction Treatment	Unknown - owned by The Recovery Village	<a href="https://www.therecoveryvillage.com/local-rehab-resources/ohio/cleveland/">https://www.therecoveryvillage.com/local-rehab-resources/ohio/cleveland/</a>
	Cleveland YMCA (Y-Haven, Rising Hope, Open Door)	-Intensive Outpatient Treatment -Transitional Housing -MAT (Naltrexone and Vivitrol)	ADAMHS Board (Federal, State, Local); Care Alliance Center	<a href="https://www.clevelandymca.org/y-haven.html">https://www.clevelandymca.org/y-haven.html</a>
	United Way First Call for Help	United Way 2-1-1 connects individuals and families to social services 24 hours a day, every day of the year. We provide accurate and timely assessment, information and service navigation to help people understand their options, resolve problems and improve their lives	Funded in part by ADAMHS	<a href="https://www.211oh.org/">https://www.211oh.org/</a>
	ADAMHS Board	Pilot program launched in June 2017 testing free Uber rides as a possible solution to transportation barriers for those receiving outpatient treatment at Rosary Hall at St. Vincent Charity Medical Center.	ADAMHS Board (Federal, State, Local) and other grants	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	30 Days to Family Ohio - Partners in Cuyahoga County	Short-term intensive intervention program that moves children from foster care to safe kinship placements in the shortest time possible.	Victims of Crime Act (VOCA), Keybank Foundation, Mt. Sinai Health Care Foundation and Nord Family Foundation	<a href="https://www.ohioattorneygeneral.gov/Files/Briefing-Room/News-Releases/30-Days-to-Family-Interim-Report.aspx">https://www.ohioattorneygeneral.gov/Files/Briefing-Room/News-Releases/30-Days-to-Family-Interim-Report.aspx</a>
	MetroHealth System	Mother and Child Dependency Program	Cuyahoga County and MetroHealth System	<a href="https://www.metrohealth.org/obgyn/substance-use-and-pregnancy">https://www.metrohealth.org/obgyn/substance-use-and-pregnancy</a>

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## Cuyahoga County

## Existing or Proposed Abatement Programs

Abatement Category	Providers Within Cuyahoga County	Programs/Services Provided	Funded By	Sources
Treatment (continued)				
	Multiple Independent Practitioners and Ohio Mental Health and Addiction Services	State of Ohio's Maternal Opiate Medical Supports (MOMS) -Practitioners working (in Cuyahoga County) to improve services for moms with opioid use disorder and their babies	Ohio Department of Medicaid, Ohio Department of Mental Health and Addiction Services, and the Ohio Department of Health	<a href="http://momsohio.org/moms-moms-to-be">http://momsohio.org/moms-moms-to-be</a>
	Hospitals within Cuyahoga County	The Ohio Children's Hospitals Neonatal Research Consortium Enteral Morphine or Methadone Protocol for NAS From Maternal Exposure	Unknown	<a href="https://pediatrics.aappublications.org/content/141/4/e20170900">https://pediatrics.aappublications.org/content/141/4/e20170900</a> <a href="https://pediatrics.aappublications.org/content/pediatrics/suppl/2018/03/05/peds.2017-0900.DCSupplemental/PEDS_20170900SupplementaryData.pdf">https://pediatrics.aappublications.org/content/pediatrics/suppl/2018/03/05/peds.2017-0900.DCSupplemental/PEDS_20170900SupplementaryData.pdf</a>
	MetroHealth System, Office of Opioid Safety (OOS)	Alternative to Incarceration Program which provides increased access to MAT for qualifying inmates in lieu of incarceration.	ODH Injury Prevention Grant	<a href="http://opiatecollaborative.cuyahogacounty.us/pdf_OpiateCollaborative/en-US/2018AnnualReport.pdf">http://opiatecollaborative.cuyahogacounty.us/pdf_OpiateCollaborative/en-US/2018AnnualReport.pdf</a>
	Cleveland Municipal Court	Selective Intervention Program - diversion program for first offenders	Administered by the Probation Department	<a href="https://clevelandmunicipalcourt.org/judicial-services/court-programs-services/selective-intervention-program">https://clevelandmunicipalcourt.org/judicial-services/court-programs-services/selective-intervention-program</a>
	Court of Common Pleas - Drug Court Specialty Docket	Alternative to incarceration - reduce the recidivism among drug-dependent offenders by providing enhanced treatment services.	Federal, State, Local grants, including SAMHSA and Bureau of Justice Assistance grants, and the Supreme Court of Ohio	Court of Common Pleas Annual Report 2016 p. 77
	Court of Common Pleas - Recovery Court	Alternative to incarceration - treatment services to eligible offenders.	Federal Grant (Ohio Supreme Court)	Court of Common Pleas Annual Report 2016 p. 9

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Cuyahoga County  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Cuyahoga County	Programs/Services Provided	Funded By	Sources
Harm Reduction				
	Cuyahoga County Board of Health and MetroHealth System	Project DAWN (Deaths Avoided with Naloxone)	Ohio Mental Health and Addiction Services (OMHAS), MetroHealth System, ADAMHS Board	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a> <a href="http://opiatecollaborative.cuyahogacounty.us/en-US/Project-DAWN.aspx">http://opiatecollaborative.cuyahogacounty.us/en-US/Project-DAWN.aspx</a>
	Cuyahoga County Board of Health	Naloxone Dispensed at Discount Drug Mart	Cuyahoga County Board of Health and MetroHealth	<a href="http://www.ccbh.net/opiates/">http://www.ccbh.net/opiates/</a>
	Circle Health Services	Circle Health Services Syringe Exchange Program	Circle Health Services	<a href="https://circlehealthservices.org/wp-content/uploads/2016/04/FreeClinic_annualreport2015_web.pdf">https://circlehealthservices.org/wp-content/uploads/2016/04/FreeClinic_annualreport2015_web.pdf</a>
	Circle Health Services	Circle Health Services - Fentanyl Test Strips (15,000 funded)	ADAMHS Board (Federal, State, Local)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	Cuyahoga County Board of Health	Hepatitis vaccines for free or at a low cost	Multiple Sources (Federal, State, Local)	<a href="https://www.ccbh.net/immunization-clinics-2">https://www.ccbh.net/immunization-clinics-2</a>
	Cleveland Department of Public Health	Cleveland Department of Public Health Immunization clinics provide vaccines for free to children under 18 years old	Unknown	<a href="http://www.clevelandhealth.org/network/health/immunizations.php">http://www.clevelandhealth.org/network/health/immunizations.php</a>
	Cleveland Department of Public Health	Grant funding to over 40 area community-based agencies for prevention, education, and housing services to people affected by HIV/AIDS	Grants	<a href="http://www.clevelandhealth.org/network/health/HIV_AIDS.php">http://www.clevelandhealth.org/network/health/HIV_AIDS.php</a>
	Cuyahoga County, Senior and Adult Services	Cuyahoga County Division of the Ryan White HIV/AIDS Program - home health care to persons living with AIDS in Cuyahoga County	Ohio Department of Health	<a href="https://dsas.cuyahogacounty.us/en-US/ryan-white-program.aspx">https://dsas.cuyahogacounty.us/en-US/ryan-white-program.aspx</a>
	Recovery Resources	HIV/AIDS prevention, intervention, and testing program	Multiple Sources (ADAMHS, CARF, United Way, and others)	<a href="https://www.recres.org/ManagedFiles/2019%20Service%20Directory.pdf">https://www.recres.org/ManagedFiles/2019%20Service%20Directory.pdf</a>
	MetroHealth System	HIV/AIDS Services	Multiple Sources (Federal, State, Local)	<a href="https://www.metrohealth.org/infectious-disease/hiv-aids-services">https://www.metrohealth.org/infectious-disease/hiv-aids-services</a>
	The AIDS Taskforce of Greater Cleveland	HIV/AIDS-focused healthcare and pharmacy services	Ohio Department of Health	<a href="http://www.aids-taskforce.org">www.aids-taskforce.org</a>
	Circle Health Services	Provides free or low cost community outreach education, prevention programming, testing, and treatment for HIV	Multiple Sources (Federal, State, Local)	<a href="https://circlehealthservices.org/services/hiv-services/">https://circlehealthservices.org/services/hiv-services/</a>
	Cleveland Treatment Center (Bureau of Drug Abuse)	Cleveland Treatment Center has established external relationships that support the needs of the targeted population for referral networks and resource links to HIV/STD medical service providers, housing, mental health care, nutritionist care, dental care, eye care, and other relative services.	Multiple Sources (Federal, State, Local)	<a href="http://www.clevelandtreatmentcenter.org/about.htm">http://www.clevelandtreatmentcenter.org/about.htm</a>

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Cuyahoga County  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Cuyahoga County	Programs/Services Provided	Funded By	Sources
Prevention				
	Multiple Providers	"Know the Risks" Campaign	Partners with ADAMHS Board	<a href="https://www.cleveland.com/knowtherx/2017/04/know_the_risks_campaign_is_cri.html">https://www.cleveland.com/knowtherx/2017/04/know_the_risks_campaign_is_cri.html</a> <a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	Catholic Charities, Diocese of Cleveland	"Hope & Healing Beyond Heroin: A Family Resource Guide for Cuyahoga County,"	Catholic Commission of Cuyahoga County	<a href="https://ccdocleorg.sitedistrict.com/wp-content/uploads/filebase/social%20action/social_action/Heroin-Brochure-Cuyahoga-County_final.pdf">https://ccdocleorg.sitedistrict.com/wp-content/uploads/filebase/social%20action/social_action/Heroin-Brochure-Cuyahoga-County_final.pdf</a>
	Cuyahoga County Opiate Task Force	Drug Awareness and Prevention Program	Grant awarded by the Ohio Department of Health, Bureau of Healthy Ohio, Violence and Injury Prevention Program and as a sub-award of a grant issued by the CDC, Preventative Health and Health Services Block Grant	<a href="http://opiatecollaborative.cuyahogacounty.us/en-US/Educational-Outreach.aspx">http://opiatecollaborative.cuyahogacounty.us/en-US/Educational-Outreach.aspx</a> <a href="http://www.ccbh.net/wp-content/uploads/2017/07/2016-CCOTF-Annual-Report.pdf">http://www.ccbh.net/wp-content/uploads/2017/07/2016-CCOTF-Annual-Report.pdf</a>
	ADAMHS	Heroin Prevention Campaign (end of 2016 and the beginning of 2017) -"I Care About My Life and I Care About Your Life."	ADAMHS Board (Federal, State, Local)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	Cuyahoga County Prosecutor's Office	"Let's Face It" Campaign	Cuyahoga County (Forfeiture Funds)	<a href="http://www.letsfaceheroin.com/">http://www.letsfaceheroin.com/</a>
	Catholic Commission of Cuyahoga County	"Greater Than Heroin" Campaign	Catholic Commission of Cuyahoga County	<a href="https://ccdocle.org/social-action/initiatives/hope-healing-beyond-heroin">https://ccdocle.org/social-action/initiatives/hope-healing-beyond-heroin</a>
	Recovery Resources	Project SUCCESS	Partnered with ADAMHS, CARF, and United Way	<a href="https://www.recres.org/ManagedFiles/2019%20Service%20Directory.pdf">https://www.recres.org/ManagedFiles/2019%20Service%20Directory.pdf</a>
	Cuyahoga County Sheriff's Department	Rx Drug Drop Box Program	Cuyahoga County	<a href="https://sheriff.cuyahogacounty.us/en-US/RxDrugDropBoxProgram.aspx">https://sheriff.cuyahogacounty.us/en-US/RxDrugDropBoxProgram.aspx</a>
	Cleveland Clinic	Cleveland Clinic Drug Disposal Bins	The City of Cleveland	<a href="https://newsroom.clevelandclinic.org/2018/04/25/cleveland-clinic-providing-safe-way-for-community-to-dispose-unneeded-medications/">https://newsroom.clevelandclinic.org/2018/04/25/cleveland-clinic-providing-safe-way-for-community-to-dispose-unneeded-medications/</a>
	Cleveland Police Department	Heroin Involved Death Investigations Unit	The City of Cleveland	<a href="https://www.cleveland.com/metro/2018/05/specialized_cleveland_police_u.html">https://www.cleveland.com/metro/2018/05/specialized_cleveland_police_u.html</a>
	Moore Counseling and Mediation Services	Police Assisted Addiction and Recovery Initiative (PAARI) Model	ADAMHS Board (CURES Act)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>
	The Woodrow Project	Police Assisted Addiction and Recovery Initiative (PAARI) Model	ADAMHS Board (CURES Act)	<a href="http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf">http://adamhscc.org/pdf_adamhscc/en-US/(no%20numbers%20version%20for%20website)%20ADAMHS%20A%20Leader%20in%20Combating%20the%20Heroin%20Crisis%20UPDATE%20September.pdf</a>

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Cuyahoga County  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Cuyahoga County	Programs/Services Provided	Funded By	Sources
System Coordination				
	Ohio Dept. of Health	EpiCenter - used by existing staff to track ER visits by drug type	Ohio Dept. of Health	Deposition of Christopher Kippes dated January 18, 2018, pp. 50:14-52:17, 55:3-11, 128:16-129:18, 150:1-16, 159:6-164:14
	Cuyahoga County Board of Health	Injury Prevention Reports	Multiple Sources (Federal, State, Local)	<a href="http://opiatecollaborative.cuyahogacounty.us/pdf_OpiateCollaborative/en-US/2018AnnualReport.pdf">http://opiatecollaborative.cuyahogacounty.us/pdf_OpiateCollaborative/en-US/2018AnnualReport.pdf</a>
	Ohio Mental Health & Addiction Services	Ohio Substance Abuse Monitoring (OSAM)	Ohio Department of Mental Health and Addiction Services (ODMHAS)	<a href="https://mha.ohio.gov/Research/Ohio-Substance-Abuse-Monitoring-OSAM-Network">https://mha.ohio.gov/Research/Ohio-Substance-Abuse-Monitoring-OSAM-Network</a> <a href="http://www.fairfieldadamh.org/uploads/1/3/1/0/13100616/osam_faq_brochure.pdf">http://www.fairfieldadamh.org/uploads/1/3/1/0/13100616/osam_faq_brochure.pdf</a>
	Ohio Automated Rx Reporting System (OARRS)	OARRS collects information on all outpatient prescriptions for controlled substances and one non-controlled substance (gabapentin) dispensed by Ohio-licensed pharmacies and personally furnished by Ohio prescribers. This data is reported every 24 hours and is maintained in a secure database. Drug wholesalers are also required to submit information monthly on all controlled substances and gabapentin sold to an Ohio licensed pharmacy or prescriber.	State of Ohio Board of Pharmacy	<a href="https://wholesale.ohiopmp.gov/Integration.aspx">https://wholesale.ohiopmp.gov/Integration.aspx</a>



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## Summit County

## Existing or Proposed Abatement Programs

Abatement Category	Providers Within Summit County	Programs/Services Provided	Funded By	Sources
Treatment				
	Alcohol, Drug Addiction & Mental Health ("ADM")	Administers/oversees a variety of substance abuse programs county-wide	Multiple Sources (Federal, State, Local)	2018 ADM Annual Budget Review (SUMMIT_001085282) <a href="https://www.admboard.org/">https://www.admboard.org/</a>
	Oriana House	-Intake & Assessment -Drop-In Center (23 Hour Observation) -Sub-Acute Detoxification -Outpatient -Intensive Outpatient -Laboratory Urinalysis -Residential Programs -MAT Community Based Correctional Facility -Non Residential Programs (incl. Drug Court)	Multiple Sources (Federal, State, Local) including ADM	2018 ADM Annual Budget Review (SUMMIT_001085282) <a href="http://www.orianahouse.org/programs/summit/crisis_center.php">http://www.orianahouse.org/programs/summit/crisis_center.php</a> <a href="http://www.orianahouse.org/programs/summit/summitsubstanceabuse.php">http://www.orianahouse.org/programs/summit/summitsubstanceabuse.php</a>
	Interval Brotherhood Home	-Residential Treatment Programs (incl. 24/hour confinement facility for alcohol/drug treatment) -MAT not provided.	Funded in part by ADM; Contracts with the City of Akron	2018 ADM Annual Budget Review (SUMMIT_001085282) Agreement with Akron to Provide Community Correctional Services (AKRON_000209254) <a href="https://www.ibh.org/treatment-programs/">https://www.ibh.org/treatment-programs/</a>
	Edwin Shaw Rehab	-Intake & Assessment -Outpatient -Intensive Outpatient -Laboratory Urinalysis -MAT (Suboxone)	Funded in part by ADM	2018 ADM Annual Budget Review (SUMMIT_001085282)
	Community Health Center	-Intake & Assessment -Ambulatory Detoxification -Outpatient -Intensive Outpatient -Residential Treatment (RAMAR) -Laboratory Urinalysis -MAT (Methadone & Suboxone)	Funded in part by ADM	2018 ADM Annual Budget Review (SUMMIT_001085282) <a href="http://www.commhealthcenter.org/">http://www.commhealthcenter.org/</a>
	Mature Services	-Intake & Assessment -Outpatient -Intensive Outpatient	Funded in part by ADM	2018 ADM Annual Budget Review (SUMMIT_001085282)
	Summit County Public Health	-Intake & Assessment -Outpatient -Intensive Outpatient -Laboratory Urinalysis -MAT (Vivitrol & Suboxone)	ADM; Federal and State Grants	2018 ADM Annual Budget Review (SUMMIT_001085282) Deposition of Jackie Pollard dated November 30, 2018, p. 38:11-40:12 <a href="https://www.scph.org/news/medication-assisted-treatment-program">https://www.scph.org/news/medication-assisted-treatment-program</a>
	Akron-Urban Minority Alcoholism Drug Abuse Outreach Program, Inc. (UMADAOP)	-Intake & Assessment -Intensive Outpatient -Group and Individual Counseling -Case Management	Funded in part by ADM	2018 ADM Annual Budget Review (SUMMIT_001085282) <a href="https://www.akronumadaop.com/">https://www.akronumadaop.com/</a>

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Summit County  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Summit County	Programs/Services Provided	Funded By	Sources
Treatment (continued)				
	Summa Health (St. Thomas Hospital / Sr. Ignatia Hall)	Acute Detoxification	Funded in part by ADM	2018 ADM Annual Budget Review (SUMMIT_001085282) <a href="https://www.summahealth.org/medicals/services/behavioral/aboutourservices/inpatient-services/ignatia-hall-detox-unit">https://www.summahealth.org/medicals/services/behavioral/aboutourservices/inpatient-services/ignatia-hall-detox-unit</a>
	Summa Health	-Outpatient -Intensive Outpatient -MAT (Vivitrol)	Funded in part by ADM	<a href="https://www.summahealth.org/medicals/services/behavioral/aboutourservices/outpatient-services/vivitrol-clinic">https://www.summahealth.org/medicals/services/behavioral/aboutourservices/outpatient-services/vivitrol-clinic</a>
	Akron Recovery Court	MAT: Provides MAT treatment for individuals involved in the criminal justice system	Federal Grant - ATP (Addiction Treatment Program)	Deposition of Jeff Sturmi dated November 15, 2018, p. 115:7-117:17
	Turning Point Program (Summit County Courts)	MAT: from 2012 to 2015/2016, SAMHSA provided a grant for provided suboxone to participants.	SAMHSA / BJA Grant	Deposition of Jennifer Hawkins dated February 28, 2019, pp. 44:7-25, 45:21-46:4, and 150:3-12
	Summit Oaks Hospital Drug and Alcohol Rehabilitation Program	-Detoxification medically managed. Does use Suboxone and Subutex for Heroin Detox -Short-term rehabilitation program after detox occurs -Intensive Outpatient Program	Unknown - owned by Universal Health Services, Inc.	<a href="https://summitoakshospital.com/program-services/adult-inpatient/drug-alcohol-rehabilitation-program">https://summitoakshospital.com/program-services/adult-inpatient/drug-alcohol-rehabilitation-program</a>
	Freedom House Recovery Housing for Women	Provides recovery housing and drug treatment to single women of Summit County	Funded in part by ADM	<a href="http://www.fh4women.org/">http://www.fh4women.org/</a> <a href="https://www.admboard.org/recovery-support-services.aspx">https://www.admboard.org/recovery-support-services.aspx</a>
	Legacy III Supportive Housing for Women	-Provides transitional housing to single women who have been sober for at least 60 days -Provides permanent housing to those who have graduated from the transitional program	Funded in part by ADM	<a href="http://www.legacythree.org/">http://www.legacythree.org/</a> <a href="https://www.admboard.org/recovery-support-services.aspx">https://www.admboard.org/recovery-support-services.aspx</a>
	F.I. Community Housing	Peer Oriented/Peer Operated Recovery Community Organization that provides recovery housing, social and supportive services	Funded in part by ADM	<a href="http://ficommunityhousing.org">http://ficommunityhousing.org</a> <a href="https://www.admboard.org/recovery-support-services.aspx">https://www.admboard.org/recovery-support-services.aspx</a>
	Akron Municipal Court Discretionary Rehabilitation Program in collaboration with Oriana House	Diversions program for first-offenders that began in 1998 in collaboration with Oriana House.	Unknown	<a href="https://courts.ci.akron.oh.us/programs/discretionary_rehabilitation.htm">https://courts.ci.akron.oh.us/programs/discretionary_rehabilitation.htm</a>
	Pinnacle Treatment Center	-Residential Programs -Intensive Outpatient Program -Recovery Housing -Counseling -MAT (Methadone, Suboxone, and Vivitrol)	Unknown - owned by Pinnacle Treatment Centers	<a href="https://pinnacletreatment.com/treatment-therapies/treatment-options/">https://pinnacletreatment.com/treatment-therapies/treatment-options/</a>
	Cleveland Clinic Akron General Alcohol and Drug Recovery Center	-Intensive Outpatient Programs -Aftercare -MAT	Unknown - owned by Cleveland Clinic	<a href="https://my.clevelandclinic.org/locations/akron-general/specialties/alcohol-drug-recovery-center">https://my.clevelandclinic.org/locations/akron-general/specialties/alcohol-drug-recovery-center</a>
	ADM	24-Hour Crisis Center (Oriana House)	Multiple Sources (Federal, State, Local)	2018 ADM Annual Budget Review (SUMMIT_001085282)
	ADM	ADM Addiction Helpline	Grant - CURES Act	Report on Opiate Epidemic Impact (SUMMIT_002053751)
	Quick Response Team	Responds to overdoses and tries to connect people to treatment	Funded in part by ADM (CURES Act)	2018 ADM Annual Budget Review (SUMMIT_001085282)

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Summit County  
Existing or Proposed Abatement Programs

Abatement Category Treatment (continued)	Providers Within Summit County	Programs/Services Provided	Funded By	Sources
	United Way 2-1-1 Summit County	2-1-1 helps people across Summit County find local resources when they don't know where to turn for help	Unknown	<a href="https://www.uwsummit.org/211">https://www.uwsummit.org/211</a>
	30 Days to Family Ohio - Partners in Cuyahoga County	Short-term intensive intervention program that moves children from foster care to safe kinship placements in the shortest time possible.	Victims of Crime Act (VOCA), Keybank Foundation, Mt. Sinai Health Care Foundation and Nord Family Foundation	<a href="https://www.ohioattorneygeneral.gov/Files/Briefing-Room/News-Releases/30-Days-to-Family-Interim-Report.aspx">https://www.ohioattorneygeneral.gov/Files/Briefing-Room/News-Releases/30-Days-to-Family-Interim-Report.aspx</a>
	SummaHealth	Centering Pregnancy - provides expecting mothers with addiction	Unknown - owned by Summa Health	<a href="https://www.summahealth.org/flourish/entries/2016/08/centeringpregnancy-helping-pregnant-mothers-struggling-with-addiction">https://www.summahealth.org/flourish/entries/2016/08/centeringpregnancy-helping-pregnant-mothers-struggling-with-addiction</a>
	Multiple Independent Practitioners and Ohio Mental Health and Addiction Services	State of Ohio's Maternal Opiate Medical Supports (MOMS) -Practitioners working (in Summit County) to improve services for moms with opioid use disorder and their babies - website with different resources for expecting mothers	Ohio Department of Medicaid, Ohio Department of Mental Health and Addiction Services, and the Ohio Department of Health	<a href="http://momsOhio.org/moms-moms-to-be">http://momsOhio.org/moms-moms-to-be</a>
	Hospitals within Summit County	The Ohio Children's Hospitals Neonatal Research Consortium Enteral Morphine or Methadone Protocol for NAS From Maternal Exposure	Unknown	<a href="https://pediatrics.aappublications.org/content/141/4/e20170900">https://pediatrics.aappublications.org/content/141/4/e20170900</a> <a href="https://pediatrics.aappublications.org/content/pediatrics/suppl/2018/03/05/peds.2017-0900.DCSupplemental/PEDS_20170900SupplementaryData.pdf">https://pediatrics.aappublications.org/content/pediatrics/suppl/2018/03/05/peds.2017-0900.DCSupplemental/PEDS_20170900SupplementaryData.pdf</a>
	Summit County Jail	-MAT (Vivitrol) -Re-Entry Coordinator	Grant from ADM	Exhibit 16 to the Deposition of Shane Barker dated November 28, 2018 2016 Sheriff's Office Annual Report, p. 49 Summit County Jail Vivitrol Administration (SUMMIT_001970930)
	Glenwood Jail	Repurposed into Community Alternative Sentencing Center (CASC)	Oriana House; Contract with Summit County	Deposition of Brian Nelson 30(b)(6), pp. 167, 173-174 2019 Summit County Operating Budget, p. 80.
	Greenleaf Family Center	Greenleaf teamed up with the Court of Common Pleas to decrease the backlog of assessments for the intervention program which helps criminal defendants find treatment	Targeted Community Alternatives to Prison funding Grant	<a href="http://www.akronlegalnews.com/editorial/19449">http://www.akronlegalnews.com/editorial/19449</a> <a href="http://greenleafctr.org/">http://greenleafctr.org/</a>
	Akron-Urban Minority Alcoholism Drug Abuse Outreach Program, Inc.'	Re-entry Program designed to specifically address alcohol and other drug related offenders by linking them to relapse prevention services and to specifically address the need for supportive services for this population.	Funded in part by ADM	2018 ADM Annual Budget Review (SUMMIT_001085282) <a href="https://www.akronumadaop.com/">https://www.akronumadaop.com/</a>
	Truly Reaching You	-Reentry program for men who served their sentences and are returning to the community -Peer Recovery Addiction Support -Recovery Housing	Funded in part by ADM	<a href="http://trulyreachingyou.com/">http://trulyreachingyou.com/</a> <a href="https://www.admboard.org/recovery-support-services.aspx">https://www.admboard.org/recovery-support-services.aspx</a>

## Appendix 13

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Summit County  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Summit County	Programs/Services Provided	Funded By	Sources
<b>Harm Reduction</b>				
	Summit County Court of Common Pleas - Turning Point Program	Court program that handles cases involving drug-using/abusing, non-violent offenders, through immediate comprehensive supervision, drug testing, and treatment services, as well as immediate sanctions and incentives.	SAMHSA Grant and partners with Oriana House	Deposition of Jennifer Hawkins dated February 28, 2019, pp. 96:9-99:20 <a href="http://www.summitpcourt.net/Programs/TurningPointProgram/Pages/TurningPoint1.aspx">http://www.summitpcourt.net/Programs/TurningPointProgram/Pages/TurningPoint1.aspx</a>
	Oriana House	Summit County Nonresidential Community Corrections Pretrial Diversion Program	Multiple Sources (Federal, State, Local)	<a href="http://www.orianahouse.org/programs/summit/prog_nonresidential.php">http://www.orianahouse.org/programs/summit/prog_nonresidential.php</a>
	Summit County Public Health	Project DAWN: provides naloxone kits to citizens	ADM and Grants	Deposition of Jackie Pollard dated November 30, 2018, pp. 112:7-113:15, 145:8-24 <a href="https://www.scph.org/counseling/project-dawn-narcan">https://www.scph.org/counseling/project-dawn-narcan</a>
	Summit County Public Health	Provide Narcan kits to people experiencing an opiate overdose that come through the emergency room	Grants	Deposition of Jackie Pollard dated November 30, 2018, p. 113:16-23
	CVS/Pharmacies	Providing Narcan at low costs or for free without Rx	Unknown	Deposition of Jerry Craig dated January 11, 2018, pp. 420:3-422:12 and Exhibit 32
	Summit County Public Health	Summit Safe Syringe Exchange Program	Grants - United Way	Deposition of Jackie Pollard dated November 30, 2018, p. 137:11-23 <a href="https://www.scph.org/counseling/summit-safe-syringe-exchange">https://www.scph.org/counseling/summit-safe-syringe-exchange</a>
	Summit County Public Health and ADM	Fentanyl testing strips at needle exchange sites	Summit County Public Health and ADM	<a href="https://www.wksu.org/post/morning-headlines-summit-county-unveils-fentanyl-testing-strips-cavs-re-sign-channing-frye#stream/0">https://www.wksu.org/post/morning-headlines-summit-county-unveils-fentanyl-testing-strips-cavs-re-sign-channing-frye#stream/0</a>
	Summit County Public Health	One Life is a prevention initiative focused on youth and young adults ages 13-24 years old that includes multiple components to prevent substance misuse and the transmission of HIV and viral hepatitis.	5-year federally funded grant through SAMHSA	<a href="https://www.scph.org/std-hiv-clinics/one-life-prevention-program">https://www.scph.org/std-hiv-clinics/one-life-prevention-program</a>
	CANAPI	501(c)(3) nonprofit organization dedicated to HIV support services and LGBTQ advocacy in Summit and Portage counties.	Grants/Fundraising	<a href="http://www.canapi.org">http://www.canapi.org</a>
	The Akron AIDS Collaborative	The mission of the Akron AIDS is to broaden the network of caring organizations in the minority community, to influence social norms that contribute to the prevention of HIV/AIDS, and to increase advocacy for social services for people of color who are living with HIV/AIDS and people who have suffered from sexual orientation stigma within the African American community.	Unknown	<a href="http://akronaidscollaborative.org/aac%20history.htm">http://akronaidscollaborative.org/aac%20history.htm</a>

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Summit County  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Summit County	Programs/Services Provided	Funded By	Sources
Prevention				
	Catholic Commission of Summit County	"Hope & Healing Beyond Heroin: A Family Resource Guide for Summit County," Catholic Charities, Diocese of Cleveland Provides information on how to identify opioid abuse and where individuals can seek help and/or more information.	Unknown - provided by Catholic Commission of Summit County	<a href="https://ccdcleorg.sitedistrict.com/wp-content/uploads/filebase/social%20action/social_action/Heroin-Brochure-Summit-County_final.pdf">https://ccdcleorg.sitedistrict.com/wp-content/uploads/filebase/social%20action/social_action/Heroin-Brochure-Summit-County_final.pdf</a>
	Summit County Opiate Task Force	A group of key individuals and organizations committed to reducing the tragic consequences of opiate abuse in Summit County through education, collaboration, advocacy, and the wise use of available resources.	Funded in part by ADM	<a href="https://www.summitcountyaddictionhelp.org/opiate-task-force-members.aspx">https://www.summitcountyaddictionhelp.org/opiate-task-force-members.aspx</a> "Report on Opioid Epidemic Impact" (SUMMIT_002053751)
	ADM	Gloves Up Campaign: promotes the ADM helpline and attempts to destigmatize treatment.	ADM	"Report on Opioid Epidemic Impact" (SUMMIT_002053751)
	Summit County Public Health	Grant funded the creation and mailing of educational materials related to prescribing opioids that was mailed out July/August.	Ohio Department of Health	Deposition of Jackie Pollard dated November 30, 2018, pp.122:5-124:10
	Summit County Public Health	Rx Drug Overdose Prevention Grant (including organizing for released prisoners to receive a Project DAWN Kit)	Ohio Department of Health	Injury Prevention Program, Prescription Drug Overdose Prevention Grants (SUMMIT_000301416 and SUMMIT_000083749)
	Akron Children's Hospital	Akron Children's Hospital addiction services program focuses on education, prevention, screening, care coordination, community outreach and referral to community resources.	Unknown - owned by Akron Children's Hospital	<a href="https://www.akronchildrens.org/departments/Addiction-Services-Program.html">https://www.akronchildrens.org/departments/Addiction-Services-Program.html</a>
	Summit County Sheriff's Office and ADM	DARE (Drug Abuse Resistance Program)	Grants	<a href="https://co.summitoh.net/sheriff/index.php/administration/community-affairs/dare">https://co.summitoh.net/sheriff/index.php/administration/community-affairs/dare</a> <a href="https://co.summitoh.net/SHERIFF/images/stories/PDFs/2017%20annual%20report.pdf">https://co.summitoh.net/SHERIFF/images/stories/PDFs/2017%20annual%20report.pdf</a>
	The Rite Aid Foundation	The Rite Aid Foundation Prescription Drug Safety Program - students learn facts about prescription drugs, how to properly use and dispose of them and how to step in when faced with a situation involving misuse.	Rite Aid Foundation	<a href="https://www.cleveland.com/akron/2019/02/rite-aid-foundation-brings-prescription-drug-safety-program-to-akron-area-schools.html">https://www.cleveland.com/akron/2019/02/rite-aid-foundation-brings-prescription-drug-safety-program-to-akron-area-schools.html</a>
	ADM	"Recovery. It's Worth the Fight" - Addiction Resource Guide	Sponsored by Cleveland Clinic, ADM, First Energy, & Akron Children's Hospital	<a href="https://www.summitcountyaddictionhelp.org/Data/Sites/19/pdfs/addiction-resource-guide---second-edition-8-17.pdf">https://www.summitcountyaddictionhelp.org/Data/Sites/19/pdfs/addiction-resource-guide---second-edition-8-17.pdf</a>
	ADM	"Resources for Educators"	ADM	<a href="https://www.summitcountyaddictionhelp.org/opiate-epidemic-resources-for-educators.aspx">https://www.summitcountyaddictionhelp.org/opiate-epidemic-resources-for-educators.aspx</a>
	IBH	Family education classes designed to assist in the full journey of recovery and those affected by the disease	Multiple Sources (Local)	<a href="https://www.ibh.org/treatment-programs/family-education/">https://www.ibh.org/treatment-programs/family-education/</a>
	Summit County Public Health	DUMP Program - place to dispose of Rx medication	DEA / ADM / Summit County Public Health	Deposition of Matthew Paolino dated December 5, 2018, pp. 136:13-140:3 <a href="https://www.scph.org/dump/about">https://www.scph.org/dump/about</a>

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## Summit County

## Existing or Proposed Abatement Programs

Abatement Category	Providers Within Summit County	Programs/Services Provided	Funded By	Sources
<b>Prevention (continued)</b>				
	Summit County Community Partnership	Donation of 40,000 drug deactivation pouches	Mallinckrodt Pharmaceuticals	<a href="http://www.akron.com/akron-ohio-community-news.asp?aID=31848">http://www.akron.com/akron-ohio-community-news.asp?aID=31848</a> <a href="http://www.uwsummit.org/investments">http://www.uwsummit.org/investments</a>
	United Way	The Detera Project: Prevention of Prescription Drug Abuse, Summit County Community Partnership	United Way	<a href="https://www.uwsummit.org/investments">https://www.uwsummit.org/investments</a>
	Summit County Prosecutor	Grant for funding 2 additional prosecutors for an Opiate Unit in Summit was denied	N/A	Deposition of Brad Gessner dated December 3, 2018, pp. 98:25-102:6 and Exhibit 8
<b>System Coordination</b>				
	Ohio Mental Health & Addiction Services	Ohio Substance Abuse Monitoring (OSAM)	Ohio Department of Mental Health and Addiction Services (ODMHAS)	<a href="https://mha.ohio.gov/Research/Ohio-Substance-Abuse-Monitoring-OSAM-Network">https://mha.ohio.gov/Research/Ohio-Substance-Abuse-Monitoring-OSAM-Network</a> <a href="http://www.fairfieldadamh.org/uploads/1/3/1/0/13100616/osam_faq_brochure.pdf">http://www.fairfieldadamh.org/uploads/1/3/1/0/13100616/osam_faq_brochure.pdf</a>
	Ohio Automated Rx Reporting System (OARRS)	OARRS collects information on all outpatient prescriptions for controlled substances and one non-controlled substance (gabapentin) dispensed by Ohio-licensed pharmacies and personally furnished by Ohio prescribers. This data is reported every 24 hours and is maintained in a secure database. Drug wholesalers are also required to submit information monthly on all controlled substances and gabapentin sold to an Ohio licensed pharmacy or prescriber.	State of Ohio Board of Pharmacy	<a href="https://wholesale.ohiopmp.gov/Integration.aspx">https://wholesale.ohiopmp.gov/Integration.aspx</a>



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## **Appendix 14**

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## State of Ohio

## Existing or Proposed Abatement Programs

Abatement Category	Providers Within Ohio	Programs/Services Provided	Funded By	Sources
Treatment				
	Ohio START (Sobriety, Treatment, and Reducing Trauma)	Provide specialized victim services, such as intensive trauma counseling, to children who have suffered victimization due to parental drug use. The program will also provide drug treatment for parents of children referred to the program.	Victims of Crime Act (VOCA) Grant from Ohio Attorney General's Office and State Opioid Response (SOR) Grant from Ohio Department of Mental Health and Addiction Services.	<a href="http://www.pcsao.org/pdf/misc/OhioSTARTExecutiveSummary.pdf">http://www.pcsao.org/pdf/misc/OhioSTARTExecutiveSummary.pdf</a> <a href="http://www.pcsao.org/programs/ohio-start">http://www.pcsao.org/programs/ohio-start</a>
	Ohio Mental Health and Addiction Services MAT-PDOA	The state program is aimed at enhancing access to medication assisted treatment and reducing the number of overdose deaths associated with Ohio's opioid epidemic by implementing high-priority MAT projects identified by nine Alcohol, Drug Addiction and Mental Health Services boards.	Ohio Department of Mental Health and Addiction Services (ODMHAS)	<a href="https://mha.ohio.gov/Treatment/MAT-PDOA">https://mha.ohio.gov/Treatment/MAT-PDOA</a>
	Ohio Mental Health and Addiction Services	Provides online resources, class, and materials for "Screening, Brief Intervention and Referral to Treatment" (SBIRT).	Federal Substance Abuse and Mental Health Services Administration (SAMHSA)	<a href="https://mha.ohio.gov/Treatment/SBIRT">https://mha.ohio.gov/Treatment/SBIRT</a> <a href="https://www.integration.samhsa.gov/resource/sbirt-resource-page">https://www.integration.samhsa.gov/resource/sbirt-resource-page</a>
	The Ohio Housing Finance Agency (OHFA)	Provides adequate and affordable housing to individuals and families affected by opioid addiction	Unknown	<a href="https://ohiohome.org/news/blog/january-2019/opioidepidemic.aspx">https://ohiohome.org/news/blog/january-2019/opioidepidemic.aspx</a>
	30 Days to Family Ohio	Short-term intensive intervention program that moves children from foster care to safe kinship placements in the shortest time possible.	Victims of Crime Act (VOCA), KeyBank Foundation, Mt. Sinai Health Care Foundation and Nord Family Foundation	<a href="https://www.ohioattorneygeneral.gov/Files/Briefing-Room/News-Releases/30-Days-to-Family-Interim-Report.aspx">https://www.ohioattorneygeneral.gov/Files/Briefing-Room/News-Releases/30-Days-to-Family-Interim-Report.aspx</a>
	Maternal Opiate Medical Supports (MOMS) Program	Practitioners working across Ohio to improve services for moms with opioid use disorder and their babies - website with different resources for expecting mothers	Ohio Department of Medicaid, Ohio Department of Mental Health and Addiction Services, and the Ohio Department of Health	<a href="http://momsohio.org/moms-moms-to-be">http://momsohio.org/moms-moms-to-be</a>
	Ohio Perinatal Quality Collaborative MOMS+ Project	The goal of MOMS+ is to improve care and outcomes for the mother-infant dyad by supporting maternity care providers in the care of pregnant women with OUD, working closely with those who provide medication assisted treatment (MAT) and behavioral health (BH) therapy.	Ohio Department of Medicaid, Ohio Department of Mental Health and Addiction Services, and the Ohio Department of Health	<a href="https://opqc.net/sites/bmidrupalpopqc.chmcres.cchmc.org/files/MOMS+/2018.03.23_MOMS%2B%20One%20Pager.pdf">https://opqc.net/sites/bmidrupalpopqc.chmcres.cchmc.org/files/MOMS+/2018.03.23_MOMS%2B%20One%20Pager.pdf</a>
	Perinatal Quality Collaborative recommended NAS Protocol	The Ohio Children's Hospitals Neonatal Research Consortium Enteral Morphine or Methadone Protocol for NAS From Maternal Exposure	Unknown	<a href="https://pediatrics.aappublications.org/content/141/4/e20170900">https://pediatrics.aappublications.org/content/141/4/e20170900</a> <a href="https://pediatrics.aappublications.org/content/pediatrics/suppl/2018/03/05/peds.2017-0900.DCSupplemental/PEDS_20170900SupplementaryData.pdf">https://pediatrics.aappublications.org/content/pediatrics/suppl/2018/03/05/peds.2017-0900.DCSupplemental/PEDS_20170900SupplementaryData.pdf</a>

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## State of Ohio

## Existing or Proposed Abatement Programs

Abatement Category	Providers Within Ohio	Programs/Services Provided	Funded By	Sources
<b>Harm Reduction</b>				
	Cardinal Health Narcan Donation Program	Cardinal Health has made available more than 80,000 doses of Narcan®, which the NASEM identified as a life-saving medication that reverses opioid overdoses, for distribution for first responders and law enforcement free-of-charge.	Cardinal Health	<a href="https://www.cardinalhealth.com/en/about-us/corporate-citizenship/opioid-action-program/taking-action/narcan-donation-program.html">https://www.cardinalhealth.com/en/about-us/corporate-citizenship/opioid-action-program/taking-action/narcan-donation-program.html</a>
	Syringe Services Programs	Ohio currently has 16 syringe exchange programs throughout the state	Since mid-2018 Ohio Department of Health has made fund available	<a href="https://www.cleveland.com/business/2019/03/ohio-syringe-exchange-programs-double-in-three-nearly-years-report-finds.html">https://www.cleveland.com/business/2019/03/ohio-syringe-exchange-programs-double-in-three-nearly-years-report-finds.html</a>
	Circle Health Services	Circle Health Services Syringe Exchange Program	Circle Health Services	<a href="https://circlehealthservices.org/wp-content/uploads/2016/04/FreeClinic_annualreport2015_web.pdf">https://circlehealthservices.org/wp-content/uploads/2016/04/FreeClinic_annualreport2015_web.pdf</a>
	Ohio Department of Health Hepatitis Prevention Initiative	Initiative provides technical support and guidance to local public health, private providers, healthcare facilities, community agencies, substance abuse treatment centers, correctional facilities and the general public for the prevention and control of hepatitis C virus (HCV) in Ohio.	Ohio Department of Health	<a href="https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/Hepatitis-Prevention/hepatitis-prevention">https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/Hepatitis-Prevention/hepatitis-prevention</a>
	Ohio Department of Health Hepatitis Surveillance Program	Program is responsible for the ongoing and systematic collection, analysis, interpretation and dissemination of population-based information about persons diagnosed with non-perinatal hepatitis B virus (HBV), hepatitis C virus (HCV) and hepatitis D virus (HDV) in Ohio.	Ohio Department of Health	<a href="https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/Hepatitis-Surveillance-Program/Hepatitis-Surveillance-Program">https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/Hepatitis-Surveillance-Program/Hepatitis-Surveillance-Program</a>
	Ohio Department of Health's HIV Prevention	Program coordinates the Statewide HIV Prevention Planning Group, develops and implements the Ohio HIV Prevention Plan, coordinates the HIV testing program, and provides capacity building and training for community partners and public health staff. The HIV Prevention Program also provides funding to community-based organizations and public health districts throughout the state to provide prevention interventions.	Ohio Department of Health	<a href="https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/hiv-prevention/welcome-to">https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/hiv-prevention/welcome-to</a>
	Ohio Department of Health's HIV/AIDS Surveillance	Program is responsible for the on-going and systematic collection, analysis, interpretation, and dissemination of population-based information about persons diagnosed and living with HIV and/or AIDS in Ohio.	Ohio Department of Health	<a href="https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/hiv-aids-surveillance-program/welcome-to">https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/hiv-aids-surveillance-program/welcome-to</a>
	Ohio Department of Health AIDS Drug Assistance	Program provides medications to treat HIV and HIV-related conditions free of charge to eligible participants.	Ohio Department of Health	<a href="https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/Ryan-White-Part-B-HIV-Client-Services/AIDS-Drug-Assistance-Program/">https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/Ryan-White-Part-B-HIV-Client-Services/AIDS-Drug-Assistance-Program/</a>

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State of Ohio  
Existing or Proposed Abatement Programs

Abatement Category	Providers Within Ohio	Programs/Services Provided	Funded By	Sources
Prevention				
	Ohio Opioid Education Alliance	"Don't Live in Denial, Ohio" Advertising Campaign	Multiple Sources (Nationwide Foundation, ADAMH, Columbus Foundation, et al)	<a href="https://www.dispatch.com/news/20180619/new-ads-warn-dont-live-in-denial-ohio-talk-to-your-kids-about-opioids">https://www.dispatch.com/news/20180619/new-ads-warn-dont-live-in-denial-ohio-talk-to-your-kids-about-opioids</a>
	TakeChargeOhio	"Start Talking!" Campaign - developed to give parents, guardians, educators and community leaders the tools to start the conversation with Ohio's youth about the importance of living healthy, drug-free lives.	Multiple Sources (Local, State, & Federal)	<a href="https://www.starttalking.ohio.gov/">https://www.starttalking.ohio.gov/</a>
	Ohio Department of Education	ENCORE: Not Even Once Blog - An Ohio Department of Education Blog addressing various topics, including opioid abuse.	Ohio Department of Education	<a href="https://education.ohio.gov/Media/Extra-Credit-Blog/October-2018/GUEST-BLOG-Not-Even-Once-Addressing-the-Opioid-E2">https://education.ohio.gov/Media/Extra-Credit-Blog/October-2018/GUEST-BLOG-Not-Even-Once-Addressing-the-Opioid-E2</a>
	The Rite Aid Foundation	The Rite Aid Foundation Prescription Drug Safety Program - a digital course about prescription drug abuse prevention.	Rite Aid Foundation	<a href="https://www.pharmacytimes.com/sap-news/rite-aid-foundation-launches-prescription-drug-safety-initiative-in-ohio-high-schools-">https://www.pharmacytimes.com/sap-news/rite-aid-foundation-launches-prescription-drug-safety-initiative-in-ohio-high-schools-</a>
	Ohio Attorney General's Drug Abuse Resistance Education Programs (D.A.R.E. programs)	These grants fund law enforcement agencies to establish and implement drug abuse resistance education programs in public schools.	Ohio Attorney General	<a href="https://www.ohioattorneygeneral.gov/Law-Enforcement/Local-Law-Enforcement/Drugs/Drug-Use-Prevention-Program-Grant">https://www.ohioattorneygeneral.gov/Law-Enforcement/Local-Law-Enforcement/Drugs/Drug-Use-Prevention-Program-Grant</a>
		Opioid Toolkit - Online courses available for:		<a href="http://dare-oh.org/">http://dare-oh.org/</a>
	Ohio Chamber of Commerce	Employers - This 5-module course that gives an overview of the legal and operational issues an employer must consider in dealing with an employee's use of opioids and other substances. The modules include best practices around how, when and why to drug test; how to handle a situation if the employee confesses or is discovered to be using harmful substances; and much more. Employees - This employee education course teaches the employee a five point strategy and provides downloadable tools to enable the employee to understand the dangers of misusing prescription drugs and how to be a safe and responsible consumer of drugs.	Ohio Chamber of Commerce	<a href="https://ohiochamber.com/opioid-toolkit/">https://ohiochamber.com/opioid-toolkit/</a>
	Generation Rx	The mission of Generation Rx is to educate people of all ages about the potential dangers of misusing prescription medications. In doing so, we strive to enhance medication safety among our youth, college students, other adults in our communities, and older adults.	The Ohio State University College of Pharmacy and Cardinal Health Foundation	<a href="https://www.generationrx.org/">https://www.generationrx.org/</a>
	Ohio Prevention Action Alliance	Prevention Action Alliance, formerly Drug Free Action Alliance, is a certified prevention agency that has been leading the way in promoting healthy lives through the prevention of substance misuse and fostering mental health wellness for more than 30 years.	Partners with Ohio Mental Health and Addiction Services (OMHAS); Cardinal Health, Verizon, and Westfield Insurance Foundation	<a href="https://preventionactionalliance.org/learn/">https://preventionactionalliance.org/learn/</a>

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## State of Ohio

## Existing or Proposed Abatement Programs

Abatement Category	Providers Within Ohio	Programs/Services Provided	Funded By	Sources
Prevention (continued)				
	The G.A.P. Network	<p>The G.A.P. Network was created to bring information, education, advocacy opportunities, networking, and support to individuals who have lost a loved one to an overdose and to family engagement groups that are working to end addiction to prescription drugs and opiates in Ohio.</p> <p>The G.A.P. Network gives a voice to shattered families, provides needed support, and works diligently together to raise awareness, advocate for change, and impact policies that can save more Ohio families from the devastation of drug addiction.</p>	Partners with Ohio Mental Health and Addiction Services (OMHAS); Cardinal Health, Verizon, and Westfield Insurance Foundation	<a href="https://preventionactionalliance.org/connect/the-gap-network/">https://preventionactionalliance.org/connect/the-gap-network/</a>
	Ohio Citizen Advocates for Addition Recovery Trainings	OCAAR offers webinars throughout the year to assist in educating people impacted by addiction on a multitude of issues.	Unknown	<a href="https://www.oca-ohio.org/trainings">https://www.oca-ohio.org/trainings</a>
	Cardinal Health Opioid Action Program	Expanding the existing Generation Rx prescription drug misuse prevention education ( <i>see above</i> ) and best practices in pain medication use programming with a variety of new grant programs funded by Cardinal Health's Opioid Action Program	Cardinal Health	<a href="https://www.cardinalhealth.com/en/about-us/corporate-citizenship/opioid-action-program/taking-action/prevention-education-and-better-prescribing-practices.html">https://www.cardinalhealth.com/en/about-us/corporate-citizenship/opioid-action-program/taking-action/prevention-education-and-better-prescribing-practices.html</a>
	The Northeast Ohio Hospital Opioid Consortium	The Northeast Ohio Hospital Opioid Consortium works collaboratively to address the region's opioid epidemic. The principal goal of the Opioid Consortium is to serve as a model hospital system-based and physician-led consortium that significantly reduces the impact of the opioid epidemic in Northeast Ohio.	Cleveland Clinic, MetroHealth and University Hospitals, and The Center for Health Affairs	<a href="https://neohospitals.org/Northeast-Ohio-Hospital-Opioid-Consortium">https://neohospitals.org/Northeast-Ohio-Hospital-Opioid-Consortium</a>
	Ohio Senate Bill 319 - Holding Pharmacy Technicians to Stronger Accountability	Requires Ohio's estimated 42,000 pharmacy technicians to register with the Board of Pharmacy, reforms in Senate Bill 319 ensure uniformity in the background-check process and require all technicians to maintain a set level of competency through continuing education.	Unknown	<a href="http://fightingopiateabuse.ohio.gov/Portals/0/PDF/SB%20319%20Fact%20Sheet.pdf">http://fightingopiateabuse.ohio.gov/Portals/0/PDF/SB 319 Fact Sheet.pdf</a>
	Ohio Department of Health and the Drug Free Action Alliance	Provides free collection bins to local law enforcement agencies in Ohio.	Attorney General and Ohio Department of Health	<a href="https://www.ohioattorneygeneral.gov/Individuals-and-Families/Victims/Drug-Diversion/Prescription-Drug-Drop-Boxes">https://www.ohioattorneygeneral.gov/Individuals-and-Families/Victims/Drug-Diversion/Prescription-Drug-Drop-Boxes</a>
	Expansion of the Drug Abuse Response Teams and Quick Response Teams	Announced details regarding \$3 million in grants that will be used to help replicate or expand Drug Abuse Response Teams (DARTs) and Quick Response Teams (QRTs) to address the opioid epidemic in Ohio. The grant funding will support efforts similar to the QRTs in Colerain Township (Hamilton County) and Summit County, as well as the DART in Lucas County.	State of Ohio	<a href="https://www.ohioattorneygeneral.gov/Media/News-Releases/July-2017/Three-Million-in-Grants-for-DART-and-QRT-Teams-%281%29">https://www.ohioattorneygeneral.gov/Media/News-Releases/July-2017/Three-Million-in-Grants-for-DART-and-QRT-Teams-%281%29</a>

## Appendix 14

HIGHLY CONFIDENTIAL

## State of Ohio

## Existing or Proposed Abatement Programs

Abatement Category	Providers Within Ohio	Programs/Services Provided	Funded By	Sources
System Coordination				
	Health Policy Institute of Ohio	Ohio addiction policy inventory and scorecard: Prevention, Treatment and Recovery. It is a series of inventories and scorecards analyzing Ohio's policy response to the addiction crisis and outlining areas where the state could be more effective. The report provides policymakers and other stakeholders with the information needed to take stock of Ohio's policy response to the addiction crisis over the past five years by reviewing state-level policy changes enacted in Ohio from 2013-2017.	Health Policy Institute of Ohio	<a href="http://www.healthpolicyohio.org/ohio-addiction-policy-inventory-and-scorecard-prevention-treatment-and-recovery/">http://www.healthpolicyohio.org/ohio-addiction-policy-inventory-and-scorecard-prevention-treatment-and-recovery/</a>
	Ohio's Prescription Drug Monitoring Program (PDMP) through Ohio Automated Rx Reporting System (OARRS)	To address the growing misuse and diversion of prescription drugs, the State of Ohio Board of Pharmacy created Ohio's Prescription Drug Monitoring Program (PDMP), known as the Ohio Automated Rx Reporting System (OARRS).	State of Ohio Board of Pharmacy	<a href="https://wholesale.ohiopmp.gov/Integration.aspx">https://wholesale.ohiopmp.gov/Integration.aspx</a>
	Ohio State University, College of Public Health	EMS Data Collection - is a collaboration with several Ohio State faculty members and multiple community partners, collecting detailed data on overdose cases from EMS agencies in Franklin County	Multiple Sources (mainly HEALing Communities federal research grant)	<a href="https://oaa.osu.edu/leveraging-our-expertise-fight-opioid-crisis">https://oaa.osu.edu/leveraging-our-expertise-fight-opioid-crisis</a>
	Ohio Mental Health & Addiction Services	Ohio Substance Abuse Monitoring (OSAM)	Ohio Department of Mental Health and Addiction Services (ODMHAS)	<a href="https://mha.ohio.gov/Research/Ohio-Substance-Abuse-Monitoring-OSAM-Network">https://mha.ohio.gov/Research/Ohio-Substance-Abuse-Monitoring-OSAM-Network</a> <a href="http://www.fairfieldadamh.org/uploads/1/3/1/0/13100616/osam_faq_brochure.pdf">http://www.fairfieldadamh.org/uploads/1/3/1/0/13100616/osam_faq_brochure.pdf</a>